United Nations S/PV.5104

Security Council

Fifty-ninth year

Provisional

5104th meeting

Friday, 17 December 2004, 10 a.m.

New York

President:	Mr. Baali	(Algeria)
Members:	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Donoso
	China	Mr. Zhang Yishan
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	Spain	Mr. De Palacio España
	United Kingdom of Great Britain and Northern Ireland	Ms. Purdy
	United States of America	Mr. Holliday

Agenda

Threats to international peace and security caused by terrorist acts

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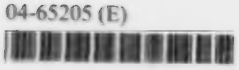
04-65205 (E)



The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security caused by terrorist acts

The President (*spoke in Arabic*): I should like to inform the Council that I have received letters from the representatives of Japan, Indonesia and Thailand, in which they request to be invited to participate in the discussion on the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Arabic*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities.

It is so decided.

I invite Ambassador Muñoz to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations. At this meeting, the Security Council will hear a briefing by His Excellency Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities. I now give the floor to Ambassador Muñoz.

Mr. Muñoz (*spoke in Spanish*): First of all, I would like to thank you, Mr. President, for giving me the opportunity to brief the Council on the work of the Al Qaeda and Taliban sanctions Committee in the last 120 days. I regret that I cannot deliver that information in Spanish as I would have liked, but the Spanish translation of the English-language document that we have been working on in the Committee was not available in time for me to deliver this briefing in my mother tongue. In any case, I would be grateful to the Secretariat if it could make that translation available.

(*spoke in English*)

I am delivering my 120-day briefing pursuant to paragraph 12 of resolution 1526 (2004). This is my final briefing in my capacity as Chairman of the Committee.

Since my last briefing, the Committee has focused on several important issues on its agenda. I want to commend the members of the Committee for their hard work and pro-active approach. The Committee has met 13 times, mostly in informal meetings.

In the second half of September, the Committee considered in great detail the first report of the Analytical Support and Sanctions Monitoring Team (S/2004/679, annex), in particular the recommendations contained in that report. The Committee's discussion, with the active participation of the Monitoring Team, was important on several accounts. First, it allowed for a better understanding of various issues highlighted in the report, such as the technicalities related to the freezing of assets and legal aspects of the Committee's list and other lists. Additionally, it enabled the Committee to establish which recommendations are to be addressed by it and/or by the Monitoring Team, allowing for the further improvement of the work of both bodies. The discussion also referred to those recommendations that require more work to develop them into practical guidance and which it would therefore be advisable to discuss in more depth in connection with the second report of the Monitoring Team.

During the reporting period, the Committee received two specialized briefings. First, on 20 October, Professor Rohan Gunaratna, a renowned expert on counter-terrorism and the author of a book on Al Qaeda, provided his insights into how Al Qaeda operations have evolved over the past few years and on

the potential threat of terrorism in general. On 4 November, Mr. Ronald Noble, Secretary General of INTERPOL, briefed the Committee on the work of his agency and outlined the areas in which practical cooperation between INTERPOL and the Committee can be enhanced, including through the participation in Committee meetings of the new Special Representative of INTERPOL, Mr. Ulrich Kersten, who is based in New York. Mr. Noble also invited members of the Monitoring Team to visit INTERPOL's headquarters in Lyon to discuss more technical issues.

The Committee continued its work to improve the guidelines for the conduct of its work.

The Committee has also put a great deal of effort into formulating its written assessment pursuant to resolution 1455 (2003). That assessment was intended to be provided by the Committee prior to the adoption of resolution 1526 (2004) in January 2004 as an input for further improvements to the sanctions regime. However, owing to the limited number of implementation reports, its preparation was postponed until a later date, with the expectation of an in-depth analysis from the Monitoring Team. Thanks to the Monitoring Team's high-quality analysis of all 130 reports, provided in mid-October, the Committee has been able to arrive at its own conclusions. The analytical written assessment of States' implementation, the first of its kind in this or any other sanctions Committee, will soon be made available to the entire United Nations membership. I strongly commend the assessment to the attention of all States.

Further to the issues I have just discussed, the Committee has been considering requests for additions and other changes to its list. During the reporting period, the Committee approved the addition of one individual and three entities to the list. On 26 November, the Committee approved extensive technical corrections to its list, as submitted by the Monitoring Team. The Committee also acted upon four notifications by States pursuant to resolution 1452 (2002).

The Chairman of the Committee continued to be in contact with the Chairmen of the Counter-Terrorism Committee (CTC) and the Security Council Committee established pursuant to resolution 1540 (2004), and with Permanent Representatives of States in New York, on the issues relevant to the work of the Committee.

Let me refer to the activities of the Monitoring Team. Since my last briefing to the Security Council, the Monitoring Team has regularly assisted the Committee in the monitoring of States' implementation of the sanctions measures. The Monitoring Team provided the Committee with a detailed analysis of the information contained in States' implementation reports pursuant to resolution 1455 (2003). In its analysis, the Team focused on the successes and the challenges that States are facing in implementing the asset freeze, the travel ban and the arms embargo. In addition, the Team submitted for the Committee's approval a large number of technical corrections, concerning 50 individuals and 10 entities on the list, which the Team had compiled both through approaching 80 Member States and by extracting the relevant information from implementation reports. Earlier this month, the Committee accepted almost all of the suggested corrections, with the exception of a few whose consideration is still pending.

The Monitoring Team has continued to encourage non-reporting States to submit reports, as requested by resolution 1455 (2003). As a result of the Team's efforts, four more States have now fulfilled their obligations in that regard.

The Monitoring Team has worked closely with the Committee and has been invited to attend almost all informal meetings. Members of the Committee frequently have sought the views or advice of members of the Team. The Team has also enhanced direct links with many Member States, regional bodies and other relevant organs of the United Nations. The Team has visited several States in South-East Asia, Africa, the Middle East, Europe and the Americas. In addition, the Team has provided expert support for my own trips; just recently, a Team expert accompanied me on my visits to Libya, Iran and Switzerland. The Team continued to provide the Committee with informative visit reports in the period just following those trips.

The Monitoring Team has held regular meetings with CTC experts and has established a close link with the emerging Counter-Terrorism Committee Executive Directorate (CTED). It has also discussed its potential contribution to the work of the 1540 Committee and the working group newly established pursuant to resolution 1566 (2004).

Let me refer now to the cooperation of the Committee with Member States.

Pursuant to operative paragraph 11 of resolution 1526 (2004), the Committee has sought to engage Member States in a more active dialogue. In several of my public statements, I have encouraged States to take the opportunity to meet with the Committee for more in-depth discussions of relevant issues. On 5 October the Committee issued a press release (SC/8208) in which it encouraged Member States to contact my Mission in that regard. The Committee has agreed to meet with representatives of one Member State. I trust that the meeting will be held early next year and that it will be the first of a series of meetings with interested Member States. The Committee has much to learn from Member States with regard to both their concerns and their successes.

Another way in which the Committee has obtained useful information on States' implementation efforts has been through my visits to selected States. Since my last report to the Council I have conducted two trips, which have taken me to the Philippines, Cambodia, Thailand, Australia, the Libyan Arab Jamahiriya, the Islamic Republic of Iran and Switzerland. On the first trip I was accompanied by Ambassador Lauro Baja of the Philippines, Minister Counsellor Cheng Jingye of China and Counsellor Heinrich Haupt of Germany. On the second visit I was joined by Ambassador Íñigo de Palacio of Spain, Minister Counsellor Traian Filip of Romania and Mr. Franck Kasbarian from the Monitoring Team. I was also accompanied on both trips by Mr. Ulrik Ahnfeldt-Mollerup from the Secretariat and Mrs. Carla Serazzi from my own Mission.

In all of those countries where we met with presidents, prime ministers, ministers and other high officials, I found a significant dedication to the implementation of sanctions measures, although unequal levels of effective implementation exist. There has been a growing realization of the enduring threat posed by Al Qaeda and the Taliban. Some of the countries clearly need further assistance from the international community, and I will strive to ensure that awareness is raised concerning that fact.

In most countries we discussed the Committee's List, about whose quality States continue to raise concerns. I always noted the Committee's understanding of those concerns and stressed that the List is only as good as Member States allow it to be, given that States are to submit any new additions, changes and relevant identifying information. I have also stressed the importance of States submitting more names to the Committee.

States continue arresting individuals linked to Al Qaeda, submitting names to our List and taking action to impede the financing of terrorism. For example, among the countries visited in this period, the Philippines and Libya have announced that they intend to submit or are already preparing the submission of a significant number of names to the Committee's List. Iran has frozen considerable assets in four separate accounts of an individual on our List, Mr. Gulbuddin Hekmatyar, and has apprehended a number of Al Qaeda operatives. Also, Iranian authorities warned us that trade operations are being used to finance terrorism. We were told that an Iraqi had operated a company in Iran that had sold spoiled vegetables to clients in another country in the area, who in return had paid unusually high prices to the suppliers.

Our interlocutors in Switzerland expressed concern about the due-process standards applied by the Committee and raised other human rights questions related to the Consolidated List. Furthermore, they pointed out that there is a gap that gives possible targets enough time to remove their funds when a new sanctions regime is created by the Security Council. In that regard, they explained to us a very sophisticated interdiction software used by banks to find and freeze assets, which could be useful. They also agreed that Switzerland would become a point country for cooperation in this area.

Some countries, especially in Africa, the Middle East and South-East Asia, have expressed frustration with what they see as Western double standards in the fight against terrorism, pointing to the protection of perceived terrorists under the guise of refugee law, the acceptance of the dissemination of terrorist propaganda, and sometimes even support for organizations that those countries consider to be terrorist groups. Regardless of whether or not those perceptions are accurate, it is something that the Committee will have to consider in the future.

We discussed, when it was relevant, both the need for technical assistance and the possibility of providing technical assistance. I have always noted that I would forward all information to the Chairman of the CTC. In my view, there is a clear need for concerted, concrete United Nations efforts in that regard, and I hope that

the CTED, once it is fully functioning, will be able to make an important contribution in this area.

Regional and subregional cooperation aimed at enhancing capacities in the fight against terrorism was underlined by many of the States visited. Member States also provided a valuable assessment of the deficiencies in various aspects of the sanctions measures and their practical implementation. These are all issues that I have brought back to the Committee and that we use in our work to continuously improve the sanctions. I am particularly pleased to note that the selected States have found great utility in the visits and that, in many cases, the Committee has been invited to return or to send representatives of the Monitoring Team for expert-level discussions. I would therefore strongly urge my successor to continue to visit selected States as mandated by the Security Council.

I should now like to touch upon the future activities of the Committee. The following tasks continue to be high on the Committee's agenda: encouraging Member States to be proactive in proposing names for inclusion on the Committee's Consolidated List for the implementation of measures specified in resolution 1526 (2004) and to further improve the quality of the List; monitoring, with the assistance of the Monitoring Team, sanctions enforcement activities by States, with a view to detecting possible problems and suggesting actions to remedy those problems; and further considering how to improve delisting procedures and exceptions pursuant to resolution 1452 (2002). The Committee will further intensify its dialogue with Member States, including through regular briefings to delegations by the Chairman and further trips by the Chairman and the Monitoring Team to selected States and relevant international gatherings, with the aim of constantly evaluating how sanctions measures are being applied on the ground; and will further increase cooperation with the CTC and its Executive Directorate, with the 1540 Committee and with all relevant international agencies and organizations.

The priorities of the Committee remain its List — which currently contains more than 400 names — and the identification of possible improvements to the current sanctions measures, which should be forwarded to the Council prior to the adoption of a new draft resolution in mid-2005.

In conclusion, the Committee is clearly aware that only results-oriented approaches, based on resolution 1526 (2004), will make its contribution to the fight against terrorism meaningful and tangible. The Committee has shifted its focus from comprehensive reporting of State implementation to active dialogue with Member States. In that connection, I would like to remind States of the opportunity they have to meet with the Committee and to discuss relevant issues in more detail. Member States must not feel that there is a group of States that are designing sanctions and monitoring their implementation, but rather that all States form an integral part of counter-terrorist strategies, policies and implementation efforts. Only thus can we win the most challenging battle of our time for the benefit of each State and individual on this planet, and guarantee their right to exist and live without fear of terrorist acts. During the meeting of the Security Council on 22 December, I will elaborate further personal thoughts on this and related matters.

The President (*spoke in Arabic*): I thank Ambassador Muñoz for his comprehensive briefing and for his kind words addressed to me and to the Security Council.

Mr. Motoc (Romania): I wish to express gratitude to our colleague, Ambassador Muñoz, for a very comprehensive oral report and to extend to him our warmest congratulations for the tremendous leadership he is displaying at the helm of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaeda and the Taliban and associated individuals and entities.

As the main subsidiary body of the Security Council entrusted with the task of combating the threat posed by Al-Qaeda terrorism, the 1267 Committee bears an enormous responsibility. Living up to the high expectations placed in it does not only mean reducing to the minimum eventual missteps, but also making full and effective use of all the tools at its disposal.

The most relevant instrument in this regard is undoubtedly the Consolidated List of Individuals and Entities Belonging to or Associated with the Taliban and Al-Qaida Organisation as Established and Maintained by the 1267 Committee. It is for this reason that absolute priority should be given to constantly improving the quality of the List. It has to be as credible as possible, so that States are encouraged to

submit names and provide additional information that would enhance the List's effectiveness. Establishing clear delisting procedures, with adequate consideration being given to due process concerns, would greatly facilitate the achievement of this goal.

Ensuring full implementation of the sanctions regime is crucial for counterweighting the great flexibility shown by Al-Qaeda in carrying out its deadly plans. It is, therefore, imperative that the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaeda and the Taliban and associated individuals and entities be provided with all the necessary inputs that would allow it to have as clear a picture as possible on concrete problems States are facing in implementing sanctions. Submission of reports by all Member States and enhanced dialogue, including through on-site visits, represents an obligatory prerequisite in this regard.

As recent experience has shown, on-site visits by both the Chairman of the 1267 Committee and the Monitoring Team are invaluable means for learning of difficulties encountered by States in implementing the sanctions regime and for properly determining their assistance needs. As Vice-Chairman of the Committee, Romania participated in the recent visit to selected countries from 5 to 10 December. We believe further that better coordination and cooperation between the 1267 Committee and the Counter-Terrorism Committee (CTC) in preparing those visits is needed in order to avoid possible overlapping. Joint visits by representatives of the two Committees should also be considered.

The risk of Al-Qaeda and its associates, as well as other terrorists, acquiring weapons of mass destruction offers a daunting perspective for the international community as a whole. The world of today is confronted by the dual spectrum of proliferation of both weapons of mass destruction and terrorist acts. We do not want to wait for a nuclear, chemical or biological 11 September to happen. That is why increased cooperation should be sought by both the CTC and the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaeda and the Taliban and associated individuals and entities with the Security Council Committee established pursuant to resolution 1540 (2004) and its newly appointed Expert Team. In my capacity as Chairman of the latter Committee, I stand ready to continue and further strengthen our tripartite consultations.

Mr. Duclos (France) (*spoke in French*): I would like to thank the Chairman of the Committee for his detailed and extremely interesting briefing. I would like to make two sets of remarks.

First of all, allow me to pay tribute to the remarkable way in which Ambassador Heraldo Muñoz and his assistants have steered the work of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaeda and the Taliban and associated individuals and entities during the period that has elapsed. I do not want to get into an exhaustive account, but I would still like to highlight at least three results that are very important, in our opinion, with regard to the action led by Ambassador Muñoz. As head of the 1267 Committee, Ambassador Muñoz has been resolute in seeking to strengthen the Committee's operation, and thereby to increase the effectiveness of sanctions. As we were able to observe listening to him just now, he was very skilfully able to emphasize the continuation of the Al-Qaeda threat and identify very rigorously its new nature, that is to say, the more diffuse character that Al-Qaeda has right now and therefore the new challenge that the Al-Qaeda network raises.

Secondly, Ambassador Muñoz has worked remarkably to improve cooperation with Member States. There has been a stepping-up of dialogue and information in New York. The visits that Ambassador Muñoz mentioned have been very productive, and we believe that this cooperation, which is also a search for unity, should be maintained and further developed, if possible.

And thirdly, we have observed that Ambassador Muñoz was able to take the necessary steps to strengthen the commitment of all the Member States in implementing sanctions. This is a very important objective that should be maintained. We have to constantly recall that the obligation to cooperate is a crucial condition if we want our collective action to be effective.

With Ambassador Muñoz, I would express the same regret that the text of the report of the Monitoring Team is only available in one language. Besides defending multilingualism, I find that this reflects a rather odd lack of sensitivity to the multicultural nature of the threat and the response that should be provided

to it. I would quite willingly have read this text in Spanish but will wait impatiently to read it in my native language.

For my second set of remarks, I would like to take the opportunity to reassert that France will continue to act in order to strengthen the effectiveness of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaeda and the Taliban and associated individuals and entities, and also to strengthen the effectiveness of sanctions that we have imposed on the Al-Qaeda network.

We would like to reiterate the observations that have been made. I would say, firstly, that the current sanctions are useful and, at the same time, we are aware of their limits. We should therefore continue, all of us, to think about how to improve their implementation. And as Ambassador Motoc has said before me, I believe that progress can be achieved in many areas: in the freezing of assets; in the concrete implementation of the travel ban; in providing assistance to certain countries, as Ambassador Muñoz mentioned; and also, as Ambassador Motoc also said, in the important problem of the effectiveness of the review procedures for individuals who feel that they were wrongly put on the Consolidated List of Individuals and Entities Belonging to or Associated with the Taliban and Al-Qaida Organisation as Established and Maintained by the 1267 Committee. Here again, Ambassador Muñoz spoke about the quality of the list: of course, this is an area where we have to improve our performance.

With respect to strengthening the effectiveness of the Sanctions Committee, our line of action is obviously continuing and enhancing the Committee's relations with all the committees that deal with terrorism or with non-proliferation. Identical aspects of the struggle against terrorist acts — for example, monitoring informal financial transactions — should not be dealt with separately, without a link between them. There is a great deal of room for synergy and information exchange among the various committees concerned.

I believe that that last comment calls more generally for a collective discussion on the question of fighting terrorism. We were pleased to note that the report of the High-level Panel mentioned the need to further mobilize United Nations resources and to define a global strategy. We also welcome the Secretary-General's intention to make proposals in this area shortly; of course, we support that intention.

Without prejudging whatever direction we may take today, we believe it is important, if we want to be effective in fighting terrorism, to fight extremism and intolerance in all their forms. It is also crucial to reconcile the struggle against terrorism with strict respect for the rule of law.

I would like to conclude by repeating the philosophy mentioned by Ambassador Muñoz. It is clear today that, when it comes to an anti-terrorism strategy, we must have two concerns. First, we have to be more effective, and secondly, we have to make sure that the legitimacy of this action would be increasingly recognized and shared. I believe that Ambassador Muñoz's manner of work was inspired by those two concerns for effectiveness and balance. In the vast area that will open up before us next year in order to further enhance our comprehensive strategy against terrorism, I believe that his experience and the great intellect he applies to everything he deals with will play an important role in helping the United Nations move forward.

Mr. Zhang Yishan (China) (*spoke in Chinese*): First of all, I would like to thank Ambassador Muñoz for his briefing. We have noted with satisfaction that over the past year, under his excellent leadership, the Committee has made effective efforts to promote the implementation of Security Council resolution 1526 (2004). The Committee carefully studied the resolution and provided written assessments on the country reports of Member States. It also conducted in-depth discussions on the effective implementation of sanctions measures. It revised and improved the accuracy of the Consolidated List.

The Committee has strengthened its dialogue in its exchanges with Member States. Ambassador Muñoz has exerted tireless efforts by paying visits to various countries and regions to learn about and to promote the implementation of the resolution on the ground. As Chairman of the 1267 Committee, he and his team contributed greatly to the Committee's work, and we would like to express our heartfelt appreciation for that.

The Committee's Monitoring Team performed its duties seriously and actively assisted the Committee in its work this year. Thus we would like to express our

appreciation for the efforts made by the experts on the Monitoring Team.

The fight against terrorism is a long and arduous task. China supports the leading role played by the United Nations in combating international terrorism. The Security Council's Counter-Terrorism Committee and the 1267 Committee have made important contributions to the fight against international terrorism. We support the Committee's continuing efforts to improve the sanctions measures, based on changing circumstances, so that it can be a more powerful and effective tool in the battle against international terrorism.

The struggle against the Eastern Turkistan terrorist organization by the Chinese Government and people is an important component of the international community's fight against terrorism and the Al Qaeda network.

China will continue to implement seriously the relevant Security Council resolutions, actively participate in the work of the Council's two Committees and make its contribution to combating the Al Qaeda terrorist network.

Mr. Pleuger (Germany): First, like other delegations, I would like to thank the Chairman of the Committee, Ambassador Muñoz, for his comprehensive briefing. His account of the last four months of the Committee's work is quite impressive. His tireless interaction with Member States, international organizations, other United Nations bodies and civil society has greatly enhanced the Committee's outreach. Under his able guidance, the Committee has become a dynamic partner in the global fight against terrorism.

As the threat posed by the expanding Al Qaeda network is still on the rise, the 1267 sanctions regime needs to adapt itself to new challenges. The following two points seem to us essential to enhance the Committee's efficiency and credibility. First, the Consolidated List, the operational centrepiece of the sanctions regime, needs constant improvement. It must become a meaningful tool for those who enforce the measures on the ground. For instance, both the bank clerk who is supposed to freeze an account and the border guard who is tasked to prevent the border crossing of a listed individual deserve to work on the basis of a list that contains sufficient identification data and that is regularly updated.

The List is not a political document. It is designed to serve as an operational tool for the enforcement of the assets freeze, the travel ban and the arms embargo. Therefore, it should not be burdened with non-operational data, such as incomplete entries of names or outdated information, which will only complicate the task of proper enforcement and demotivate the implementing agent.

These issues are not new. In fact, the Monitoring Team has highlighted them in many instances and has put forward useful suggestions, such as subjecting the List to a constant review in a clearing-house process, using feedback from Member States and specialized agencies, such as INTERPOL. In this context, I would like to underline that the Monitoring Team, under the guidance of its Coordinator, Mr. Richard Barrett, has been performing excellent work, both as advisers to the Committee and as reliable partners to many Member States.

The second point I would like to raise is related to the issue of due process. As the European Court of Justice is expected to pass judgement on several cases related to United Nations sanctions early next year, this issue is of great importance to my Government. International law clearly stipulates that counter-terrorism actions must at all times respect due process and the rule of law. There can be no trade-off between human rights and effective security measures. Indeed, respect for human rights must remain an integral part of any comprehensive counter-terrorism strategy.

The recent report of the High-level Panel on Threats, Challenges and Change (A/59/565) examines the impact of those legal principles on the counter-terrorism sanctions regime. In paragraph 152 of its report, the Panel states that,

> "The way entities or individuals are added to the terrorist list maintained by the Council and the absence of review or appeal for those listed raise serious accountability issues and possibly violate fundamental human rights norms and conventions."

In paragraph 182, the Panel recommends that,

> "Where sanctions involve lists of individuals or entities, sanctions committees should establish procedures to review the cases of those claiming to have been incorrectly placed or retained on such lists."

Germany fully supports the Panel's view that current rules on listing and delisting fall far short of international legal standards and need to be revised with a view to enhancing their transparency and their even-handed applicability. The ongoing review of the Committee's guidelines should present a good opportunity to advance that key issue, which, as the Chairman stated in his briefing, will continue to be high on the Committee's agenda. That will enhance the credibility of the sanctions regime and improve proactive cooperation of States with the Committee.

We are convinced that the Panel's recommendations, if implemented in good faith, are a valuable basis for strengthening worldwide consensus to counter terrorism.

To conclude, let me again express my delegation's sincere appreciation to Ambassador Heraldo Muñoz, as well as to his predecessor, Ambassador Gabriel Valdés, and to the very able team in the Permanent Mission of Chile, in particular Mrs. Carla Serazzi, for the outstanding work they have performed in chairing the Committee over the last two years.

I equally extend our gratitude to the Monitoring Team, as well as to the Secretariat, in particular Ms. Tatiana Cosio, who have all worked tirelessly to master the Committee's constantly heavy workload.

Finally, Mr. President, let me assure you that Germany will continue to work closely with the Committee and to support its endeavours to make the world a safer place.

Mr. Akram (Pakistan): I would like to join my colleagues in expressing our gratitude to Ambassador Muñoz, Chairman of the Al Qaeda and Taliban sanctions Committee, for his briefing to the Council on the work of the 1267 Committee and the Monitoring Team and in commending him and his Mission for the exemplary manner in which they have led the work of the Committee over the last two years. I would also like to take note of the second report of the Monitoring Team, submitted on 15 December, pursuant to resolution 1526 (2004).

The Al Qaeda and Taliban sanctions Committee has made considerable progress in terms of harmonizing and coordinating implementation of sanctions by States in three key areas: the freezing of financial assets, the imposition of travel bans and an arms embargo. However, it is obvious that Al Qaeda continues to pose a threat to international peace and security.

Today's meeting happens to be the final opportunity for my delegation to discuss the work of the Committee and the Monitoring Team as a member of the Security Council. I would therefore like to utilize this opportunity to make a few comments.

First, we believe that the Committee should institutionalize the process of regularly reviewing and updating the consolidated list to maintain its efficiency and relevance. It should also improve its listing and delisting procedures in accordance with the requirements of due process in order to make those procedures transparent and efficient and to ensure greater cooperation with all States.

Second, the notion of "associates of terrorists" should not be interpreted too expansively, as that can dilute the focus and effectiveness of the work of the Committee.

Third, the Committee should help States to strengthen their national banking and financial mechanisms to prevent the abuse of alternative remittance systems. Care should be taken not to unduly target Islamic charities, hamper their genuine welfare actions or penalize them for the actions of some of their employees.

Fourth, we have noted the Chairman's comment that visited States have found great use in the Committee's visits. We believe that those visits should be used, in particular, to identify and facilitate the provision of long-term, sustainable technical assistance to those States.

Fifth, the Committee should continue to look not only at country reports but also at countries' counter-terrorism actions on the ground, in practical terms, in order to evaluate their performance in fulfilling the obligations set by the Security Council.

Sixth, we have noted the Committee's efforts to cooperate with other United Nations bodies and Committees. Such cooperation should be pursued within the respective mandates of the Committee and the other bodies concerned.

Seventh, the Al Qaeda and Taliban Committee is dealing with an issue that concerns all States. Therefore, ways and means should be explored to

associate the larger membership of the United Nations with the work of this and other relevant Committees.

The threat of terrorism continues to confront the international community. Pakistan is no exception. The Al Qaeda and Taliban threat is especially relevant to Pakistan, in particular because those organizations have targeted Pakistan and its leadership. We have taken extensive measures to combat terrorism, and had taken such measures even before 11 September 2001. We have strengthened our domestic legal framework and are working on further improving our financial mechanisms. Pakistan has extended international cooperation to both multilateral and bilateral agencies dealing with terrorism. We have launched actions in the tribal areas of our western border and arrested more key Al Qaeda operatives than any other country.

However, all of us, including the 1267 Committee, need to bear in mind that there is a need for a broader strategy that addresses the challenge of terrorism — a challenge that is mutating in a comprehensive and effective manner. The Counter-Terrorism Committee and the 1267 Committee, which deals with an important aspect of the terrorist threat, both have to play an active and cooperative role.

In that regard, we have also noted the recommendations of the High-level Panel on Threats, Challenges and Change for a comprehensive strategy against terrorism. The Secretary-General has promised to suggest such a strategy in the near future. The Panel has identified a number of elements for that strategy, such as dissuasion; promotion of social and political rights, the rule of law and democratic reform; ending occupation and addressing major political grievances; and reducing poverty and unemployment. We believe that such a strategy must include a more direct approach to addressing the root causes of terrorism. President Musharraf has outlined such a comprehensive approach in his concept of enlightened moderation. We must include ways to address the larger systemic and structural issues, including the reform of the unequal international economic system.

Suggestions have also been made by the Panel for a legal definition of terrorism. The Panel has rightly asserted that no cause justifies targeting of innocent civilians. We believe that it needs to be added that such terrorism can be committed both by non-State and by State actors. Terrorist actions by sections of legitimate national liberation struggles for self-determination do not in themselves delegitimize such legitimate national liberation struggles.

Mr. Adechi (Benin) (*spoke in French*): I would like to echo previous speakers in congratulating Ambassador Muñoz and all the other members of the Committee established pursuant to resolution 1267 (1999) for their excellent work. Ambassador Muñoz's briefing sums up the efforts of the international community in confronting the modern-day scourge of terrorism.

What action should we take to meet the challenge? We think that vigilance — keeping our States on permanent alert — is necessary. My delegation therefore supports the initiatives of the Committee to increase the effectiveness of sanctions against individuals, groups of individuals and entities on the list. The Committee should pursue its efforts to make the list effective and credible by including data that would make it easier to identify individuals or entities on the list. Here, we understand, the Committee's difficulty with respect to the interpretation of resolution 1526 (2004), and we invite it, at the proper time, to propose to the Council ways of improving it. Increased action is also needed to provide assistance to States in strengthening national legislation their institutional capacity to fight terrorism.

With respect to the reports that Member States, pursuant to resolution 1455 (2003), must submit on steps they have taken to implement resolution 1267 (1999), my delegation believes that the delay of certain States in submitting reports does not mean that they are uninterested or that they lack the political will. The Committee needs to establish and maintain dialogue with those States and work with them to identify any obstacles and help overcome them. The Committee must be more attentive to the real material constraints faced by many States in terms of administrative capacities, expertise and logistical capacity.

Finally, we call on the 1267 Committee to continue its cooperation with other Council committees, in particular the Counter-Terrorism Committee and the 1540 Committee, as well as with other organizations involved in combating organized crime, such as INTERPOL, so as to avoid duplication and overlap and in order to optimize its activities on the ground.

Mr. Baja (Philippines): My delegation welcomes this open meeting by the Chairman of the Al Qaeda

and Taliban sanctions Committee and commends Ambassador Muñoz for another comprehensive and insightful presentation of the work of the Committee. The Council is once again experiencing the personal commitment of Ambassador Muñoz in advancing the work of the Committee. I was privileged to witness first-hand the dedication of Ambassador Muñoz and his team, including his assistant, Carla Serazzi, as well as that of the Secretariat, when I accompanied them on the mission to South-East Asian countries, including my own, the Philippines, as well as Cambodia, Thailand and Australia, last October.

The strengthened mandate accorded by the adoption of resolution 1526 (2004) early this year provided new impetus for the work of the Committee. It also created a new Analytical Support and Sanctions Monitoring Team, which has been very effective and which has provided invaluable support in the fulfilment of the functions and achievement of the objectives of the Committee. My comments will deal primarily with the usefulness of the visit aspect of the Committee's work, which distinguishes it from other Committees.

Under this strengthened mandate, the Monitoring Team visited by country last August and the Chairman and his team in October. The two visits this year, on the technical and the political levels, have been mutually beneficial both to my country and to the Committee. The visits heightened awareness among the implementing agencies in the Philippines of the global effort against terrorism, including best practices adopted by other States. In turn, the Committee was informed about the intensified enforcement action taken by the Philippine authorities against suspected terrorist activities and about the difficulties encountered in the implementation of the sanctions regime.

The technical visit of the Monitoring Team showed that some success, particularly in tracing movements of funds for terrorism purposes, has been achieved through efforts in implementing the sanctions. There was also recognition that regional and international support and assistance is needed to further deal with the Al Qaeda threat. By the same token, the Chairman's visit to my country allowed the team to assess the commitment of the Philippines in the global fight against terrorism. In his oral report to the Council on the October mission to the South-East Asian region, the Chairman observed that President Gloria Macapagal-Arroyo's in-depth knowledge of the issues at hand was a fine example of the dedication and commitment of the Philippines to the global fight against terrorism. That concern for the issue at the highest level is concretely demonstrated by the fact that the two inter-agency bodies most involved in policy and enforcement against terrorism are both directly under the Office of the President.

The anti-terrorism efforts of my Government are not focused solely on enforcement measures but also take into account the need to address the underlying causes of terrorism. Thus, an integral part of those efforts is to consider economic and social development concerns. The 16-point counter-terrorism programme of the Philippines includes, among other elements, furthering the peace process with rebel groups and the promotion of Christian-Muslim solidarity and interfaith dialogue. There are, however, more challenges ahead and many more steps to take, particularly since the Al Qaeda threat is continuously mutating and transforming itself. The strategy to meet this phenomenon must therefore be dynamic and flexible. Thus, my delegation fully supports the enhanced dialogue between the Committee and Member States.

The reports in which Member States are required to provide information on individual situations or experiences of their countries in implementing the sanctions are important and useful. The information in those reports provides valuable lessons to the international community as a whole and to other individual countries and can be the basis for enhanced dialogue between a Member State and the Committee. The reports, of course, are not an end in themselves, but are tools to make the global fight against terrorism more effective. My delegation therefore calls upon Member States to avail themselves of the opportunity of greater interaction with the Committee, or with the Monitoring Team on a technical level.

With the valuable contribution of Ambassador Muñoz, in providing leadership to the Committee, and with the lessons learned and unlearned through his briefing this morning, my delegation looks forward to similar leadership from his successor in the fight against terrorism perpetrated by Al Qaeda and the Taliban.

Mr. De Palacio España (Spain) (*spoke in Spanish*): I wish at the outset to thank Ambassador Muñoz for his endeavours as Chairman of the Security Council Committee established pursuant to resolution

1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities. He has contributed to maintaining the fight against terrorism as one of the priorities both of the Security Council and of the United Nations as a whole.

His briefing today speaks for itself with regard to the work of the Committee and of the Analytical Support and Sanctions Monitoring Team. The contribution of each, within its mandate and duties, is one of the keys that will make future progress possible in the fight against terrorism.

With respect to the Committee's cooperation with United Nations Member States, Spain believes that visits to various countries are an essential tool that should be enhanced. In that respect, we would like to stress that these are not inspection visits, but rather visits directed towards dialogue, so that we can become more familiar with the implementation of the sanctions which the Committee is charged with monitoring.

I can personally attest to the value and usefulness of those visits, since I had the opportunity to accompany the Chairman of the Committee on the most recent visit: to the Libyan Arab Jamahiriya, the Islamic Republic of Iran and Switzerland. I would like to take this opportunity publicly to thank the authorities of those three countries for their cooperation with members of the Committee. This shows what can be achieved through cooperation between States and subsidiary bodies of the Security Council.

Ambassador Muñoz has pointed out several tasks that should be among the priorities of the future work of the Committee, and it is important here to refer to some of them. First of all, Spain endorses the need to continue improving the quality of the consolidated list of individuals and entities associated with Al Qaeda and the Taliban. The Committee should ensure that a procedure is established to ensure respect for all legal guarantees, in order to prevent mistakes on list inclusions, especially when it comes to individuals.

We must also ensure that inclusions on the list have all the information necessary to correctly identify the individuals on the list. We believe that is the only way we can guarantee the credibility of the Committee's work in its cooperation with States. In that connection, we believe that cooperation with bodies with experience in this area should be enhanced, and we therefore welcome the contacts that have begun with the International Criminal Police Organization (INTERPOL), from which we expect concrete results leading to an improved consolidated list which would be easier for Member States to use.

Also important is verification of the implementation of United Nations sanctions by Member States, with particular emphasis on detecting possible problems, with a view to rectifying them. In that respect, Ambassador Muñoz spoke in his statement about the correct implementation of sanctions in the financial sphere and made very useful recommendations that the Committee should seek to implement in its future work.

Likewise, it is important to stress the need for closer cooperation with the Counter-Terrorism Committee Executive Directorate, since we should not forget that Security Council resolution 1535 (2004) gives the Counter-Terrorism Committee (CTC) the primary responsibility for facilitating assistance to States in the fight against terrorism.

In that respect, I want to stress the need for the Committee, in the future, to address the needs for technical assistance — not only concerning the material aspects of the effective application of sanctions, but also in providing assistance to States that need it to develop national legislation, in compliance with their obligations under international conventions and under Security Council decisions.

We also agree with Ambassador Muñoz's stressing of the need to continue strengthening cooperation between the 1267 Committee and the 1540 Committee, and the Counter-Terrorism Committee. We are convinced that in the future, we will find new ways of further deepening such cooperation, because the nature of the work of those Committees should adjust to the changing circumstances of a threat which we have recently experienced. As we saw during our three-country visit, the threat is changing, mutating and offering new challenges to the Committee.

In conclusion, I would like to reiterate our congratulations to the Permanent Representative of Chile, Ambassador Heraldo Muñoz, and his team in the Permanent Mission of Chile, and, in particular, to all the members of the Monitoring Team for their work, respectively, in leading the Committee and in the monitoring tasks. On the eve of our departure from membership of the Security Council, we express our confidence that the incoming Chairman of the 1267

Committee will be able to face up to the new challenges, knowing that the Organization must continue and strengthen its comprehensive coordinated and objective action in the fight against terrorism.

Mr. Konuzin (Russian Federation) (*spoke in Russian*): We are grateful to the Chairman of the 1267 Committee, Ambassador Muñoz, for his thorough briefing on the results of the most recent 120-day work period of the 1267 Committee and the Analytical Support and Sanctions Monitoring Team. They have done a great deal of work for which we are grateful to them.

I would like to comment on a number of elements of the briefing. We support developing contacts by the Committee and the Monitoring Team, with the Counter-Terrorism Committee (CTC) and its experts, for the purposes of increasing interaction among those bodies. We also support establishing contacts between the 1267 Committee and the 1540 Committee, as well as with other agencies that work towards fighting terrorism.

We welcome the meeting held during the reporting period with the representatives of INTERPOL, as well as the trip by the Monitoring Team to INTERPOL's headquarters, in order to establish practical cooperation.

We note the Monitoring Team's substantial contribution to the work of the Committee, including the preparation of a written opinion on submissions by States of reports under Security Council resolution 1455 (2003). It is essential to continue to encourage those States which have not yet submitted such reports to do so. We would also like to note that success in combating terrorism, depends on the unified efforts of the entire international community. In that context, we believe it is important to establish a credible dialogue between Member States and the 1267 Committee on all aspects of the sanctions issue.

In that context, we attach great importance to future trips by the Monitoring Team and by the Chair of the Committee to selected States. Such trips give us an opportunity to ensure that States are committed to meeting their obligations on the ground, and will enable us to determine possible needs for technical and other types of support from the international community for the purpose of sanctions implementation. That goal could be achieved by inviting States' representatives to meetings with the Committee.

One of the Committee's key tools is the consolidated list. We are pleased to note that, for the period under review, the list has been filled with new names and additional information essential to the proper identification of terrorists. We call on member States to continue to provide such information to the Committee so as to increase the effectiveness of its work with the list. We also fully support the tasks that the Committee has assigned itself for the future.

Mr. Gaspar Martins (Angola): I thank you, Sir, for convening this debate on the work of the Al Qaeda and Taliban sanctions Committee, as well as Ambassador Muñoz, Chairman of the Committee, for his briefing on the activities of the Committee and the Monitoring Group.

Terrorism remains a global threat requiring a coordinated international response. In recent years, by carrying out terrorist attacks in more than 10 Member States on four continents, Al Qaeda has shown the magnitude of the threat it poses to all States Members of the United Nations and to the fundamental values of humankind, such as the right to live in peace and security, mutual tolerance among peoples and nations, the rule of law, justice and social progress. It has therefore become clear that the campaign against terrorism must be pursued in full understanding of its nature and should be based on international cooperation.

In recent years, the significance of targeted sanctions as a policy instrument for meeting the objectives of deterrence and prevention has progressively increased. The Security Council has played an important role in filling the gaps in counter-terrorism strategy. Its relevant resolutions impose uniform, mandatory counter-terrorism obligations on all States and have established mechanisms to monitor compliance and to facilitate the provision of technical assistance.

The Al Qaeda and Taliban sanctions Committee has played a very important and leading role in that extraordinary endeavour. The monitoring team is also of vital importance to ensuring the long-term success of the Committee itself. In addition to analysing means of improving the level of submission of national reports and their quality, the team has an equally important role in assessing how effective existing

Security Council resolutions and national and international legislation have been in combating terrorism financing, hindering the movement of terrorists and upholding arms embargoes and related sanctions.

In that regard, we encourage the monitoring team to develop further its working relationship with the Counter-Terrorism Committee, the Committee established pursuant to resolution 1540 (2004), and all relevant international agencies and regional and subregional organizations in order to avoid duplication in the discharge of their respective mandates.

We fully concur with the assessment made by Chairman Muñoz regarding the priorities of the agenda of the Committee, particularly the need for further improvement in its quality. We believe, however, that further action is needed if the full implementation of relevant Security Council resolutions on combating terrorism is to achieve its objectives. Building capacity in a large number of States remains a key, urgent priority, and that alone will enhance the capacity of States.

In the view of the Angolan delegation, assistance to States in combating terrorism is a critical issue, particularly for those emerging from armed conflict. The Committee should carefully consider the best means to build capacity in those States for the fight against terrorism, particularly in areas such as customs, border control, intelligence gathering, law enforcement and the financing sector, permitting those countries to trace flows of laundered money to finance terrorism and other criminal activities. Capacity-building would also allow more effective monitoring of the implementation of arms embargoes and related sanctions.

The ability of regional and subregional organizations, the private sector and the financial institutions to become more proactive in preventing and combating terrorism is also a significant factor. In that regard, we recall the important precedent set by the Kimberley Process in addressing the role of natural resources in armed conflicts and in the implementation of arms embargoes and related sanctions. The lessons learned in dealing with the Kimberley Process could certainly be useful to the work of the Committee established pursuant to resolution 1267 (1999). In that regard, we underline the importance of resolution 1526 (2004).

To conclude, Ambassador Muñoz, his staff and the secretariat of the Monitoring Group have effectively brought the Committee from vision to reality. I therefore seize this opportunity to welcome the incoming Chairman and to reiterate Angola's commitment to the goals set out in the relevant resolutions on combating terrorism. As an outgoing member of the Security Council, I would like once again to thank Ambassador Muñoz for his inspiring leadership of the Committee, which demonstrates a real commitment to the high objectives of the global campaign to combat terrorism — a global, mounting threat which can be faced only if we act together to reinforce multilateralism.

Mr. Holliday (United States of America): I thank Chairman Muñoz for his insightful briefing and his critical contribution to the work of the Committee established pursuant to resolution 1267 (1999) on Al Qaeda and the Taliban over these past two years.

The recent terrorist attacks in Jeddah, Saudi Arabia, are a sharp reminder that our collective effort against the threat to international peace and security posed by Al Qaeda and the Taliban must be unrelenting. I have no doubt that there is not a single one of us around this table who has not received information from their respective security services about an Al Qaeda threat against their interests. The global terrorist threat remains an ongoing challenge for all States. We are all in this fight together. This is a battle that none of us can afford to lose.

Identifying, tracing and freezing Al Qaeda assets is not going to get easier. Existing measures contained in resolution 1526 (2004) must be strengthened, tightened and further refined. Resolution 1526 (2004), in paragraph 1, targets those associated with Al Qaeda and the Taliban. Member States' efforts need to be redoubled to identify those associations and, quite simply, to bring more nominations for listing before the Committee.

My Government has another concern that has been raised before in this forum. When this solemn body invokes Chapter VII of the Charter in response to threats against international peace and security, there can be no satisfactory outcome by member States other than complete compliance in implementing the measures authorized by the Security Council. The monitoring team's analytic efforts continue to show that not all States are fulfilling their obligations under

resolution 1526 (2004), nor are they adhering to mandated reporting requirements. In addition, the team has noted that the quality of reports is wide-ranging and, in the most extreme cases, unhelpful.

In cases in which States are capable of but appear to be unwilling to press the fight and cause discomfort to Al Qaeda, further Committee investigation and, quite possibly, Council action are warranted. I am referring to cases in which States are both non-compliant or insufficiently compliant with resolution 1455 (2003) and are also listed by the Organisation for Economic Cooperation and Development's Financial Action Task Force as being non-cooperative. While those are not the only candidates for further careful review by the Committee, they represent an obvious focus for additional attention. To get that far in deliberations, however, we will need even more work from the Monitoring Team and very clear outcomes from its analysis. Additional intensified Committee efforts need to move in that direction. The delegation of the United States is committed to achieving concrete results.

We are about to bid farewell to an extremely competent, committed and dynamic Chairman of the Committee established pursuant to resolution 1267 (1999). We highly commend Ambassador Muñoz for his dynamic leadership and tireless efforts to support the work of the Committee. The entire delegation of Chile has been equally deserving of our praise and commendation in advancing the work of the Committee, in particular Mrs. Carla Serrazi. Her professionalism, persistence and dedication were key factors in moving a number of Committee projects to completion.

The synergy of coordinated efforts between Chairman Muñoz and his delegation, the professional and comprehensive work of the Monitoring Team — particularly as reflected in its recently circulated report — and the tireless contribution of the Secretariat now provide us with a support mechanism to ensure oversight and close monitoring of the Council's decisions. We look forward to working collectively, imaginatively and effectively with the Committee's new Chairman, whom the Council will designate in January, as we proceed toward summer and a new resolution to strengthen and refine the current measures, and perhaps add new ones, directed against as virulent a threat to peace and security as we have known in our lifetimes. I again thank Ambassador Muñoz for his invaluable contribution to the work of the Committee.

Ms. Purdy (United Kingdom): The United Kingdom would like to join others in thanking Ambassador Muñoz for his briefing today. The United Kingdom greatly appreciates the commitment that he has shown to the Committee through his visits overseas. Those visits have raised awareness of the work of the Committee and highlighted the importance of implementing its actions on the ground. He was worked tirelessly and successfully to enhance the international standing of the Committee. I would also like to join others in thanking the team that Ambassador Muñoz has in his Mission — in particular Mrs. Carla Serrazi, for her significant contribution to the work of the Committee — as well as the Secretariat, for its vital supporting role. The Monitoring Team also deserves our thanks for its input, analysis and dialogue with Member States, all of which are invaluable to the Committee. We have just received the Monitoring Team's second report, and we look forward to studying it and its recommendations in detail.

I would like to take this opportunity to highlight two issues of central importance to our work in the Committee. The first is the list of terrorist organizations and individuals.

I would like to welcome the work that has begun on improving the quality of the consolidated list and the enthusiasm shown for that task by the Monitoring Team and Member States. The list is vital to the ability of the Committee to achieve its objectives, and we must all strive to ensure that it is as accurate, complete and useful as possible. As part of that process, we must continue to encourage all Member States to propose names for inclusion on the list. The threat from Al Qaeda remains urgent, serious and common to all States. By submitting names for inclusion on the list, Member States can demonstrate a clear commitment to fighting terrorism and provide an important way for the international community to be able to take concrete action against terrorism.

Secondly, I would like to join others in welcoming the dialogue that the Committee has established with other experts organizations, such as INTERPOL. The United Kingdom fully supports increased Committee interaction with international organizations and believes that that type of cooperation

will benefit all Member States in ensuring the effectiveness of the sanctions at the operational level. In parallel, we look forward to the development of an active dialogue between the Committee and Member States through visits and/or expanded dialogue in New York. The relationship with States will also be one of the important areas for coordination between the Committee and other relevant committees of the Council, in particular the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004). In that context, I would like to support what others have said about the importance of coordination between Council bodies.

Finally, I would like to look to the future. The Committee has been committed to discussing issues of substance under the chairmanship of Ambassador Muñoz, and I am quite sure that that will continue to be the case under his successor. The United Kingdom hopes that a draft programme of work for the Committee can be agreed early in the next year, to focus the Committee's attention on pending issues.

The comments I have heard today demonstrate our continued collective commitment to the fight against terrorism and the importance we all place in the work of the Committee in that context. The United Kingdom has enjoyed a positive working relationship with current Council members and looks forward to working constructively in the Committee with the members that will be joining us in the new year.

Mr. Sardenberg (Brazil) (*spoke in Spanish*): I would like to thank Ambassador Heraldo Muñoz for his enlightening briefing on the activities of the Al Qaeda and Taliban sanctions Committee during the last four months. As this is the Council's last meeting devoted to the Committee established pursuant to resolution 1267 (1999) before year's end, I would like to express my sincere gratitude for the excellent work done by Ambassador Muñoz at the head of the Committee. His dedication deserves our warmest congratulations, and I am pleased that the members of the Council have unanimously acknowledged as much. I would like to say that the skill with which Ambassador Muñoz has guided the Committee does not surprise us in the least, given what we know about his tenure as Chile's ambassador to Brazil. My delegation would also like to congratulate Mrs. Carla Serrazi for her excellent work in support of the Committee's activities. Lastly, I would like to thank the Secretariat for its decisive contribution.

(*spoke in English*)

The Committee has gathered a considerable amount of important information, mainly from sources other than the direct processing of Member States' reports. I am specifically referring to the reports and recommendations submitted by the Monitoring Team, the two illustrative briefings by Professor Rohan Gunaratna and by INTERPOL Secretary General Ronald Noble and the visits by the Chairman and the Monitoring Team to several countries, covering every region of the world. The adequate processing of all those inputs should allow for a more thorough understanding of the ongoing fight against Al Qaeda-related terrorism and for the identification of the most adequate mechanisms to proceed in that fight, including the fine-tuning of sanctions when applicable.

The Monitoring Team is highly instrumental in that regard. The increased capacity for analysis provided by its assistance is an important contribution to the work of the Committee. In general, the Team has generated valuable recommendations focused on specific issues and on detailed analysis of information. Direct benefits from that able work are already evident, namely, in the recently approved technical revision of the list of entities and individuals under sanctions. We commend the work that has been done.

I would like to focus my remarks on two main points: the importance of the list of sanctioned entities and individuals and the need for a comprehensive approach to handling the question of combating terrorism.

As pointed out by the Chairman in his presentation, the list remains the Committee's most important instrument of work. For that very reason, the need to keep it updated and relevant cannot be sufficiently stressed. As I have emphasized on previous occasions when we have received briefings by the Chairman, more clear and direct procedures for handling alterations to the list are necessary, as is the establishment of improved listing and delisting procedures, both of which should be linked to the assurance of due process for listed persons and entities.

We must react to the large amount of information and recommendations amassed by the Chairman and by the members of the Monitoring Team in their visits, so as to assure Member States of the usefulness of establishing direct contact with the Committee.

The Team's recommendations regarding the improvement of the list should be heeded by the Committee, and the presentation of further proposals in this regard should be encouraged. By ensuring the credibility of the list and the applicability of the sanctions imposed, the Committee will be in a stronger position to counter perceptions that the combating of terrorism seems to be guided by "double standards".

The need for a multidimensional approach in combating terrorism is my second topic. I will focus on the need to better use existing mechanisms of international cooperation in combating Al Qaeda-related terrorism. As pointed out by many, the threat of terrorism is often connected to other criminal activities, such as money-laundering, the smuggling of weapons and international drug trafficking. Existing mechanisms for international cooperation in all of these areas could further contribute to our common effort. The presentation made by the Secretary General of INTERPOL to the Committee was very illustrative in this regard. Given the similarities between the travel controls applied by INTERPOL on the basis of the lists under their control and those sought by the Committee as regards the travel ban, there seems to be ample space for making use of the very efficient information-sharing mechanisms of INTERPOL as regards the application of sanctions.

If certain requirements are met, the incorporation of the Committee's list into INTERPOL's database would be feasible and could have the added benefit of incorporating the element of due process in the list. Besides INTERPOL, enhanced cooperation with other effective international mechanisms could offer broad possibilities of synergy and greatly improve the efficiency and institutionalization of applying sanctions. Cooperation with other terrorist issues-related committees of the Security Council is another promising area of interaction. We note here not only the efforts already undertaken to promote greater coordination with the Counter-Terrorism Committee and its Executive Directorate, as well as with the Committee established pursuant to resolution 1540 (2004), but also the fact that a further increase in such cooperation is foreseen for the future work of the Committee.

The importance of the contribution of the Committee established pursuant to resolution 1267 (1999) in combating the terrorist threat is directly related to the international community's perceptions of its work. A genuine effort to incorporate the recommendations put forward by States, by those invited to brief the Committee and by the Monitoring Team in the day-to-day work of the Committee is the best way to ensure the greater effectiveness of sanctions.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of Algeria.

(*spoke in Spanish*)

I should like first of all to express my gratitude and appreciation to Ambassador Heraldo Muñoz for the detailed information that he provided to the Council on the work of the Committee established pursuant to resolution 1267 (1999). His dedication and his excellent work as Chairman of the Committee have had an important impact on its work, making it a dynamic and effective body in our common fight against terrorism.

(*spoke in French*)

I would like to thank the Monitoring Team. I have taken note of its second report, submitted on 15 December. We note that the Committee's efforts during the period under consideration included, in particular, a review of the recommendations contained in the first report of the Monitoring Team, making it possible to gain a better understanding of many of the topics highlighted in the report, such as the asset-freezing techniques and the legal aspects of the consolidated list.

The written evaluation pursuant to resolution 1455 (2003) is a further achievement that is to the Committee's credit. That written analytical evaluation on the implementation of sanctions by States is the first of its kind in the work of the sanctions committees. In this connection, we would like to thank the Monitoring Team for the quality of the analysis of the 130 reports submitted by States.

With respect to the activities of the Monitoring Team, we note that, in addition to the written assessments of the implementation of sanctions measures by States, as required by resolution 1455 (2003), which inform us about the successes and challenges that States face in applying the freezing of assets, travel bans and arms embargoes, the Monitoring Team has made a contribution in other areas, such as certain technical corrections concerning the names of

individuals and entities on the list. The members of the Team also carried out visits to several countries in Asia, Africa, the Middle East, Europe and the Americas.

The cooperation between the Committee and Member States will make the Committee more visible and give it greater exposure. That is the context in which we view the visits carried out by Ambassador Muñoz and certain members of the Committee, as well as the Monitoring Team. The two visits that were made recently by Ambassador Muñoz to certain countries in Asia, Europe and North Africa have further informed the Committee about the implementation of sanctions measures by States, the growing awareness of the threat posed by Al Qaeda and the need that certain countries have for assistance.

Consideration should be given to the appeals launched by certain States, and we hope that the Security Council will pay attention to them. First, there is a double standard when it comes to treating the phenomenon of terrorism. Secondly, exchange of information and intelligence in combating terrorism is important, because we believe that one-way information will not effectively serve the fight against terrorism. Thirdly, it is essential to combat drug trafficking, since its links with terrorist networks are increasingly close; such networks are found not only in Asia, but also in other parts of the world. Fourthly, there is a need to come to the aid of States that require assistance. Fifthly, the use of propaganda and justifications of terrorism should be dealt with very seriously. Sixthly, there is a need to avoid any confusion between Islam and terrorism.

Lastly, we share the opinion of Ambassador Muñoz about the future work the Committee: improving the list, continuing visits and strengthening cooperation between the Committee established pursuant to resolution 1267 (1999) and the Counter-Terrorism Committee and its Executive Director, as well as the Committee established pursuant to resolution 1540 (2004) and the relevant international and regional organizations, are among the Committee's priorities.

I would like once again to express my thanks to Ambassador Muñoz and his team, in particular Mrs. Carla Serazzi.

I resume my functions as president of the Council.

(*spoke in Arabic*)

The next speaker is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Haraguchi (Japan): I should like first to thank Ambassador Muñoz for his presentation today. Acts of terrorism by Al Qaeda and Taliban-associated terrorists continue unabated, and in late October, the Japanese people were shocked and saddened by the killing in Iraq of a young Japanese man by a group considered to be associated with Abu Musab al-Zarqawi. As a result, Japan is all the more resolved to maintain its determined posture, in concert with the international community, in the fight against terrorist groups, which do not hesitate to take the lives of innocent citizens for political purposes.

Having heard the Chairman's briefing, and taking into consideration Japan's current counter-terrorism policy, I would like to make the following three points in relation to the Committee's activities for the coming year.

First, Japan places importance on improving the quality of the Committee's consolidated list as a valuable information source enabling individual Member States to take effective sanction measures against terrorists. We strongly hope that more information will be added, to enable Member States to have a more substantive list at their disposal. Recently, my Government, along with other Member States, submitted additional information for inclusion in the List. On the other hand, as indicated by the report of the High-level Panel on Threats, Challenges and Change (A/59/565), submitted to the Secretary-General, it has also become essential to review the information on the list in the light of developments occurring after individuals and entities have been listed. We understand that it is not easy to amend or delete information on suspected individuals or entities once they are included on the list, but that exercise, in our view, is indispensable to ensuring that the list constitutes a reliable database. In that context, my Government thinks highly of the recent approval by the Committee of a substantial number of corrections to the information contained in the list on the basis of its inquiries to Member States.

Secondly, it is highly important to further strengthen cooperation among related organs within the United Nations. In order to be successful in the fight

against terrorism, it is extremely important to have effective cooperation with the Security Council Committee established pursuant to resolution 1540 (2004), the Counter-Terrorism Committee (CTC) and other bodies having experience in that area. I am sure that the Chairman's visits to Member States are very useful, and it is critical that the results of those visits be shared with the CTC. To the greatest extent possible, information must be shared with other counter-terrorism-related organs as to whether individual Member States regard the sanction measures as effective and what problems they have encountered in implementing them. Above all, such information must be shared with the CTC, because it is indispensable for the Committee to understand the assistance needs of individual Member States in order to ensure implementation of counter-terrorism measures.

Thirdly, among the activities of the Committee for next year, improving and strengthening the sanction measures, in our view, is the most difficult and critical issue. My Government naturally attaches great importance to that matter. When we learn from the reports submitted by Member States, for example, that none of the individuals on the Committee's consolidated list are reported to have been stopped at any border, or that there are no instances in which the arms embargo has been enforced, we cannot help but ask ourselves if the measures have been truly effective. The Committee should undertake a study to ascertain the problems confronting us in this area, based on the forthcoming analysis of the measures by the Monitoring Team, and to determine how to ensure the effectiveness of the measures. In addition, as I pointed out at the public meeting on the activities of this Committee in September, my Government hopes that effective methods will be devised to deal with cases in which terrorists open financial accounts abroad by illegally assuming the identities of individuals in actual existence. We are looking forward to concrete recommendations from the Monitoring Team on the improvement and strengthening of the sanctions measures.

During the past year and a half, Ambassador Muñoz has worked with remarkable vigor, endeavouring to enhance the importance of the 1267 Committee and its operational effectiveness. I understand that Member States will have another opportunity to hear Ambassador Muñoz when he delivers his summary statement on 22 December on the work completed under his chairmanship of the Committee. However, my Government would like to take this opportunity to express to him its deep respect and profound appreciation for his efforts and contribution during his tenure. Our appreciation also goes to his outstanding staff. My country will join the Committee as a non-permanent member of the Security Council as of next month. We plan to do our best during our Council membership to work towards the goal of eradicating terrorism related to Al Qaeda and the Taliban. I would like to ask Ambassador Muñoz for his continued advice and cooperation on this issue.

The President (*spoke in Arabic*): The next speaker is the representative of Thailand, whom I invite to take a seat at the Council table and to make her statement.

Mrs. Laohaphan (Thailand): I am pleased to see you, Sir, presiding over this meeting, and I congratulate you and your country on your presidency of the Security Council. At the outset, my delegation wishes to thank Ambassador Heraldo Muñoz, Chairman of the Al Qaeda and Taliban sanctions Committee, for his informative and comprehensive briefing on the overall work of the Committee.

Thailand attaches great importance to the work of all the committees established by the relevant resolutions of the Security Council. It supports the new approach of the Al Qaeda and Taliban sanctions Committee in shifting the focus from States' comprehensive implementation reporting to active dialogue with Member States. Dialogue provides the Committee not only with valuable insight on States' implementation efforts, but also a better understanding of the problems that Member States are encountering.

In this regard, Thailand was pleased to have received a visit from the Chairman of the Al Qaeda and Taliban sanctions Committee and his party this past October. The visit proved to be successful in providing the Committee with on-the-ground information and in enhancing the level of understanding and cooperation between Thailand and the Committee in the efforts to combat international terrorism. We welcome the suggestion by the Chairman of the Committee during his visit that Thailand provide technical assistance to countries in the region, as that corresponds with Thailand's ability and willingness to do so.

Thailand's Anti-Money-Laundering Office has played an active role in tracking suspicious transactions and fund transfers, in cooperation with financial institutions, particularly commercial banks. Still, in certain cases, commercial banks face difficulties in accurately identifying whether the transactions are related to terrorist activities, especially those from legitimate sources with no history of irregularities. Therefore, we must enhance commercial banks' expertise in that respect, including expertise provided by the head offices of foreign banks located in Thailand.

Thailand wishes to thank the Governments and international organizations that have provided training and assistance in combating terrorist financing methods and techniques to its Anti-Money-Laundering Office, including the Egmont Group of financial intelligence units, the Asia/Pacific Group on Money Laundering, the Asia-Europe Meeting Anti-Money-Laundering Project, and the Governments of the United Kingdom and the United States.

In February 2004, Thailand set up a National Coordinating Centre for Combating Terrorism and Transnational Crimes as its national focal point for coordination among relevant international and domestic agencies. The purpose of this Centre is to refine all intelligence concerning the internal and external environment and national security in such areas as terrorism, illicit drug trafficking, money-laundering and international economic crimes. Moreover, Thailand ratified in September the 1999 International Convention for the Suppression of the Financing of Terrorism.

Regarding international cooperation, the Thailand Anti-Money-Laundering Office has signed a memorandum of understanding concerning cooperation in the exchange of financial intelligence related to money-laundering. This is based upon the model of the Egmont Group of financial intelligence units and comprises 15 countries with different levels of susceptibility to terrorist threats, developed or developing, from different geographical regions of the world: Andorra, Australia, Belgium, Brazil, Finland, Estonia, Indonesia, Lebanon, Mauritius, the Philippines, Poland, Portugal, Romania, the Republic of Korea and the United Kingdom.

Thailand has reinforced immigration measures in various respects, including the installation of the Advanced Passenger Information/Processing system at the airport. In March 2004, Thailand signed a memorandum of intent with the United States to put into motion the Personal Identification Secure Comparison and Evaluation System, which will enhance immigration measures and can serve as the nucleus of a nation-wide terrorist interdiction programme border-control system.

In closing, Thailand would like to reiterate its support for and cooperation with the Al Qaeda and Taliban sanctions Committee, as well as its readiness to provide technical assistance to countries in the region.

The President (*spoke in Arabic*): I thank the representative of Thailand for her kind words addressed to me.

The next speaker is the representative of Indonesia, whom I invite to take a seat at the Council table and to make her statement.

Mrs. Asmady (Indonesia): Allow me at the outset, on behalf of my delegation, to express my sincere appreciation to the members of the Security Council for convening this public meeting to hear a briefing by the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities regarding its overall work. Since this meeting will be the last 120-day briefing by His Excellency Ambassador Heraldo Muñoz in his capacity as Chairman of the 1267 sanctions Committee, I would like also to take this opportunity to express our appreciation to him for the effective leadership and great creativity which he demonstrated throughout his tenure at the head of the Committee. I also extend our appreciation to the other members of the Committee, as well as to the experts, for their dedication and hard work.

The comprehensive 120-day report just introduced by the Chairman demonstrates that the Committee has done extensive work during the period under consideration. That work includes the recent visits by the Analytical Support and Sanctions Monitoring Team to South-East Asia, including Indonesia, against the background of a previous visit by the Chairman himself. My delegation is of the view that those visits have benefited not only the Committee, but also Member States, by enabling them to share the experiences and challenges of others in the implementation of the sanctions. In the case of

Indonesia, the visit was regarded as fruitful in the sense that it further broadened our cooperation and collaboration with the Committee. We hope that the information and concerns of Indonesia communicated to the Monitoring Team during its visit to Jakarta will be taken into account in its assessment of the sanctions regime.

We would like also to commend the Committee for its recent submission on 26 November 2004 of technical corrections for 53 individuals and 10 entities on the consolidated list. The technical corrections will not only improve the quality of the list but will also enhance its effectiveness and will minimize or eliminate mistakes in the effort to apprehend individuals related to Al Qaeda and the Taliban. In that regard, we hope that the Committee will soon submit technical corrections for the remaining individuals and entities.

Permit me now to briefly describe Indonesia's recent efforts in combating international terrorism. On 6 December 2004, President Susilo Bambang Yudhoyono opened the International Dialogue on Interfaith Cooperation in Yogyakarta, Indonesia. The Dialogue was co-sponsored by the Government of Australia and was jointly organized by Muhammadiyah, one of the largest Muslim organizations in Indonesia. The 10 countries of the Association of South-East Asian Nations (ASEAN), along with Australia, New Zealand, Papua New Guinea and Timor-Leste, participated in the Dialogue. The main objective of the Dialogue was to promote understanding and harmony among various faith communities in our region and serve as a basis for regional and religious leaders to convey important messages to their communities concerning mutual understanding, tolerance and peaceful coexistence. By promoting understanding and learning from one another's experiences, the gathering will also foster a common regional resolve to meet challenges such as terrorism.

That Dialogue was not the first one initiated by Indonesia. In February 2004, in the context of fighting terrorism, and as the country with the largest Muslim population in the world, Indonesia held an International Conference of Islamic Scholars to deliberate on better ways of presenting and projecting Islam to the outside world; that is, Islam as a blessing to the whole world, contrary to the way it is being portrayed. Encouraged by the success of those efforts, Indonesia has launched a diplomatic initiative, of holding an Asia-Europe dialogue among civilizations and religions in Bali, Indonesia, in 2005, within the context of an Asia-Europe meeting.

Finally, I would like to reiterate the conviction of Indonesia that terrorism is the problem of every nation, and that we can best fight and vanquish this menace through multidimensional and multilateral approaches based on international cooperation and collaboration among all relevant parties. Indonesia is one such party, and, as we have stated in the past, we stand ready to take the necessary measures and to work with other States and organizations in order to ensure that terrorism will have nowhere to hide, and that it will be defeated.

The President (*spoke in Arabic*): I now give the floor to Ambassador Muñoz to respond to questions and to make any additional comments he may wish to make.

Mr. Muñoz (*spoke in Spanish*): First of all, I would like to thank my colleagues for their praise for my work as Chairman of the Al Qaeda and Taliban sanctions Committee during this period, and for the work of my support team in the Mission of Chile, in particular Carla Serazzi. I would like to thank the Secretariat for their unfailing support, in particular the Monitoring Team coordinated by Mr. Richard Barrett, which has been an extremely valuable support for the work of the Committee, as I am sure it will continue to be. I would also like to express my appreciation for the support of the colleagues who joined me on trips during this period and who contributed substantively to the dialogue that we had with the Governments of the countries we visited. I would also like to thank the Governments that we worked with during this period — Australia, Cambodia, Iran, Libya, the Philippines, Switzerland and Thailand — which not only received us cordially, but which were also able to arrange interviews which were very important for our work. I would especially like to thank the Government of Australia, which received us shortly after an election, and the Government of Iran, which received us on a religious holiday and yet was able to organize excellent meetings.

Finally, I would simply like to say that, though there were not any specific questions, there were many valuable comments that seemed to coincide with our

Committee's assessments, and I agree with what a number of speakers had to say today.

First is the importance of strengthening the list with new names and constantly improving its quality. So that that instrument can continue to be useful, its quality is as important as the quantity of names it contains.

Second is the cooperation among the Al Qaeda and Taliban sanctions Committee, the Counter-Terrorism Committee and the 1540 Committee, including the proposal made here regarding the possibility of carrying out joint visits in the future. That seems to be an idea worth exploring.

Third is attention to issues of human rights and due process, particularly in relation to the delisting process, so that we will make fewer mistakes and carry out our work as transparently as possible.

Fourth is technical cooperation, which — as I believe the Ambassador of Pakistan said — should be carried out over the long term with the countries that need it. As the representative of Benin said, that is often a question of a lack of capacity and not of political commitment. A lack of capacity leads some States not to fully implement on the ground the sanctions agreed by the Security Council. We must recall that, as the representative of the United States said, those sanctions are mandatory, not optional. Therefore, those who cannot implement them need assistance, and those who are able to do so must comply with them.

Fifth is the importance of visits and dialogue with the countries, particularly on the ground. Although the reports that we receive are useful, nothing can replace concrete dialogue; it enables us to sense nuances and problems and to listen to observations and suggestions, which we have often received and which have become elements of some of the resolutions that we have adopted. Both the information received directly from the Member States we visit and the dialogue in New York are irreplaceable, and we hope that countries can take advantage of the opportunity to engage in dialogue with the Committee to explain their points of view or their concerns.

Last is cooperation with other United Nations bodies and other organizations such as INTERPOL, with which we have already begun an extraordinarily fruitful relationship.

I believe that there is currently considerable agreement with respect to the work of the Committee. I am sure that, in the forthcoming period, that work will be not only maintained, but intensified.

I would like to thank the President for having convened this meeting and my colleagues for their kind observations with regard to the work of our Committee.

The President (*spoke in Arabic*): I thank Mr. Muñoz for the clarifications he has provided. Once again, I thank him for the excellent service that he has provided to the Committee and to the United Nations during his tenure as Chairman of the Committee.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.15 p.m.

United Nations S/PV.5105

Security Council

Fifty-ninth year

Provisional

5105th meeting

Tuesday, 21 December 2004, 1.15 p.m.

New York

President:	Mr. Baali	(Algeria)
Members:	Angola	Mr. Antonio
	Benin	Mr. Zinsou
	Brazil	Mr. Sardenberg
	Chile	Mr. Donoso
	China	Mr. Cheng Jingye
	France	Mr. Poirier
	Germany	Mr. Pleuger
	Pakistan	Mr. Ahmad
	Philippines	Mr. Mercado
	Romania	Mr. Dumitru
	Russian Federation	Mr. Dolgov
	Spain	Mr. Colomina
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Holliday

Agenda

The situation in Liberia

Letter dated 23 September 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2004/752)

Letter dated 6 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2004/955)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-65873 (E)

The meeting was called to order at 1.15 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Liberia

Letter dated 23 September 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2004/752)

Letter dated 6 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2004/955)

The President (*spoke in Arabic*): I would like to inform the Council that I have received a letter from the representative of Liberia, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mrs. Osode (Liberia) took a seat at the Council table.

The President (*spoke in Arabic*): The Security Council will now begin its consideration of the item on its agenda.

The Council is meeting in accordance with the understanding reached in its prior consultations. Members of the Council have before them document S/2004/981, which contains the text of a draft resolution submitted by France, Germany, Romania, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I would like to draw the attention of the members to documents S/2004/752 and S/2004/955, containing letters dated 23 September 2004 and 6 December 2004, respectively, addressed to the President of the Security Council, transmitting the midterm and final reports of the Panel of Experts on Liberia.

It is my understanding that the Council is ready to proceed to vote on the draft resolution before it. Unless I hear any objections, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

The President (*spoke in Arabic*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1579 (2004).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Holliday (United States of America): We would like to thank Ambassador Akram for all his work on this issue.

We are sponsoring this resolution as a statement of our strong support of the ongoing efforts of the United Nations to ensure peace and stability in Liberia and the region, and its recognition that premature lifting of sanctions at this time would threaten the re-emergence of armed conflict.

We share the desire of other Council member States to see Liberia's timber sector restored quickly as a source of legitimate revenue for the National Transitional Government. However, to accomplish that objective, we believe there must be security, transparency and accountability in the timber sector. At present, Liberia lacks the necessary institutional and financial mechanisms to ensure that forest resources are used for legitimate development.

Consistent with its desire to help Liberia quickly re-establish the conditions under which forest resources can be used for the benefit of the Liberian people, the United States Government has allocated $4 million and is working closely with the Government and other donors to implement reforms in the timber sector through the Liberia Forest Initiative.

It is critical that Liberia make a strong effort to implement those needed reforms, and I am pleased that, in the resolution adopted today, the Council has

underlined the need for the Government to act boldly and quickly in instituting those reforms. Unfortunately, Liberia's Forestry Development Authority has not yet implemented the reforms that have been called for.

With the full cooperation from Liberian authorities, we believe that substantial progress can be achieved over the next six to eight months in many of the most important aspects of the reform effort.

In coordination with other donors, we have outlined a critical path timeline of necessary actions and donor resources intended to fulfil these aims and address the principal concerns of the Council. We urge the National Transitional Government of Liberia to do its utmost to cooperate in this endeavour.

In closing, the United States Government is actively engaged in assisting the Liberian authorities to restructure both Liberia's timber and diamond sectors as a means to expedite, and not retard, the eventual lifting of sanctions, once necessary and appropriate control mechanisms have been established. It is essential that these key resources and the revenue derived from their export be used responsibly in the future to improve the lives of the Liberian people and not to perpetuate conflict, as in the past.

The President (*spoke in Arabic*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 1.25 p.m.

United Nations S/PV.5106

Security Council

Fifty-ninth year

Provisional

5106th meeting

Wednesday, 22 December 2004, 10 a.m.
New York

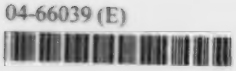
President:	Mr. Baali	(Algeria)
Members:	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Cheng Jingye
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	Spain	Mr. Yáñez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mrs. Patterson

Agenda

Briefings by Chairmen of Security Council Committees and Working Groups

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-66039 (E)



The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Briefings by Chairmen of Security Council Committees and Working Groups

The President (*spoke in Arabic*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend invitations under rule 39 of its provisional rules of procedure to: Ambassador Ismael Abraão Gaspar Martins, Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa; Ambassador Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities; Ambassador Munir Akram, Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia; and Ambassador Gunter Pleuger, Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of members to photocopies of a letter dated 21 December 2004 from the Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa addressed to the President of the Security Council, which will be issued as document S/2004/989.

At this meeting, the Council will hear briefings by the Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities, the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia and the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire.

I now give the floor to Ambassador Ismael Abraão Gaspar Martins, Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.

Mr. Gaspar Martins: First of all, Sir, I would like to say that this is a major occasion: it is likely to be the final day of meetings under your presidency and with the participation of the outgoing members.

Let me thank you, Mr. President, for allowing me to brief the Council on the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa. Your presidency of the Security Council coincides with the end of the Angolan mandate on the Council and our chairmanship of the Working Group. May I express, through you, my delegation's appreciation for the excellent working relations that have existed among all delegations on the Council in our collective search for enduring peace and stability, particularly in Africa.

I am particularly grateful for their invaluable contributions towards advancing the objectives of the Ad Hoc Working Group. It is my delegation's belief that the Group will continue to benefit from the rich and valuable experiences of all.

Members of the Council will recall that the Ad Hoc Working Group issued a detailed interim report on its activities, dated 18 December 2003 and circulated as a document of the Council under the symbol S/2003/1188. A final report has been sent to you, Mr. President, and will be circulated as a document of the Council. Photocopies of the report have been distributed to members.

My statement will highlight some aspects of that report.

Regarding conflict prevention and resolution, the Group has carried out actions aimed at examining regional and cross-conflict issues. In that regard, the Group held meetings on the Security Council missions to Africa and on the situation in the Democratic Republic of the Congo, with special emphasis on the enhancement of the United Nations role. The Group is particularly pleased with the reinforced role of the United Nations Organization Mission in the Democratic Republic of the Congo, as decided by the Security Council. Moreover, the holding of the first international conference of the Great Lakes region

represents an important step forward in meeting the concerns raised by the members of the Group.

In order to implement effectively its timetable for action and hear varying points of view on issues of interest to the Group and to the Security Council, the Ad Hoc Working Group took advantage of the informal nature of its meetings by involving non-Council members in its deliberations.

In that connection, the Group held a roundtable discussion with the International Peace Academy on constraints, challenges and opportunities in resolving conflicts, during which participants had a useful exchange of views on the Sudan, Somalia, Guinea-Bissau and the role of the Council in preventing conflicts in Africa. Under the theme of regional and international norms on unconstitutional regime changes in Africa, the participants reflected on the proposal of the Secretary-General inviting the international community to consider how to deal with post-conflict situations in which Governments, although democratically elected, defy constitutional order and flout basic practices of governance, thus becoming an added source of instability. I would like to thank the International Peace Academy for making it possible to hold that important event. It is my conviction that the Group will continue that experience with the Academy and other relevant institutions.

In its paper on post-conflict recovery in Africa, the World Bank states that because of their very nature, African conflicts have become a development issue. Taking that into account, especially given the magnitude of the problem, no single institution can address that challenge on its own.

The Security Council has reaffirmed the importance of strengthening its cooperation and interaction with the Economic and Social Council, given that economic rehabilitation and reconstruction constitute important elements in the long-term development of post-conflict societies and in the maintenance of peace.

The Security Council's Ad Hoc Working Group and the Economic and Social Council's advisory groups on countries emerging from conflict, for Guinea-Bissau and Burundi, have been instrumental in materializing cooperation between the Security Council and the Economic and Social Council.

At its historic meeting in Nairobi last month, the Security Council adopted a presidential statement on its institutional relationship with the African Union. In the statement, the Council invited the Secretary-General to explore, in close cooperation with the Chairperson of the African Union Commission, new means of cooperation between the United Nations and the African Union, especially taking into consideration the expanded mandate and the new organs of the African Union.

To that end, the Group can play a pivotal role in enhancing cooperation between the Security Council and the newly established Peace and Security Council of the African Union, bearing in mind that conflict prevention, management and resolution in Africa must be a truly complementary effort by Africans and their international partners.

I take this opportunity to underline the active participation in the Group's meetings of the representatives of the Chairmanship of the African Union, the office of the Permanent Observer of the African Union in New York and the Department of Political Affairs, mainly from its divisions dealing with Africa. I express appreciation to those countries and institutions that attended the Group's meetings and stress once more the role played in the establishment of the Group by the delegation of Mauritius when it was a member of the Council.

As Angola ends its mandate on the Security Council, it is our hope, as Chairman of the Group, that the Group will continue to monitor implementation of recommendations and resolutions concerning conflict prevention and resolution in Africa, in conformity with its mandate.

Three years after its establishment, the Ad Hoc Working Group should reflect on how it can better implement its mandate effectively. In that connection, the Group should continue to develop partnerships with other institutions by involving non-Council members and by making relevant recommendations to the Council based on those partnerships.

There is need for reflection on the future status of the Ad Hoc Working Group within the Security Council in order to respond to new trends in the search for solutions to African conflicts, including cooperation with the Peace and Security Council of the African Union.

As a general observation, the Council's current practice of assessing the work of the Working Groups when their Chairmanships leave the Security Council deserves reassessment. As a final recommendation, it would be useful for Working Groups to present mid-term reports on their activities, which, together with the assessment of the members of the Council, could help to identify areas for improvement in the work of the Working Groups.

Finally, I would like to thank all members of the Council for the spirit of cooperation they demonstrated during our mandate and thank the Secretariat for their invaluable support.

I thank you, Mr. President, and wish you success in your future endeavours, and I wish all a happy New Year.

The President (*spoke in Arabic*): I thank the representative of Angola for his kind words addressed to me and for the valuable service he rendered to Africa, the Security Council and the United Nations during the two years of his country's mandate as a member of the Security Council. I wish him every success in the future.

I now give the floor to Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities

Mr. Muñoz (*spoke in Spanish*): Two years have passed since Chile assumed the responsibility of chairing the Al Qaeda and Taliban sanctions Committee. It has been a demanding experience requiring great sacrifices and, at the same time, an honour and one of the most enriching experiences I have acquired among my various duties during my time on the Council, which now is under your responsible and effective presidency, Mr. President.

In addition to sharing some objective facts on my guidance of the Committee during the period, I would like to reflect, from a personal point of view, on some of the advances and challenges on which we should continue working in order to improve the functioning of this important Committee.

Over the past two years, we have held 80 formal and informal meetings, with a constant workload. Now, at the end of that period, I will focus my remarks on a few principal points.

The first relates to the consolidated list. Since the consolidated list is the main tool used by the Committee, one of my major tasks as Chairman has been to improve it, quantitatively and qualitatively. In the first area, I would note that over the past two years, 88 individuals and 23 entities have been added to the Committee's consolidated list. There have also been more than 98 amendments to the list, with a view to rectifying errors, adding information and clarifying some points. Here, I have been able to count on the valuable cooperation of the Secretariat staff working with the Committee and on that of the Monitoring Team.

Despite progress made, it is clear that much remains to be done. The effectiveness of the list must be enhanced, especially through cooperation on the part of Member States. I urge them to continue to propose in a proactive fashion for inclusion on the consolidated list, recalling that resolution 1526 (2004) reiterates that request to States and indicates that it is necessary to propose such names unless to do so would compromise investigations or enforcement actions. I should also like to request that Member States should continue to provide additional information so that the quality of that information can continue to be improved.

The report of the High-level Panel on Threats, Challenges and Change (A/59/565) has just been submitted to the General Assembly, and I would like to make a preliminary reference to the chapter on sanctions. Sanctions against Al Qaeda and the Taliban and associated individuals and entities are not traditional sanctions against countries: they are applied by all States to a list of persons and entities, whatever their place of residence or location. Frequently, the subjects are elusive in nature or operate as charitable organizations or legal or illegal enterprises. Moreover, a large number of possible subjects do not appear on the Committee's consolidated list and may not be proposed by Member States for inclusion. But paradoxically, those who are not listed could possibly be the ones who could carry out the most serious terrorist attacks, without any prior indication or warning.

The report of the Panel requests that the Al Qaeda and Taliban Sanctions Committee institute "a process for reviewing the cases of individuals and institutions claiming to have been wrongly included or retained" (*A/59/565, para. 152*). That does not conform to

reality, as the Committee already has a process in its guidelines to de-list individuals or entities. Moreover, humanitarian exemptions were adopted in resolution 1452 (2002), which lists various reasons why we can entertain such requests by States with respect to individuals included on the list.

We think it highly important to continue to pay great attention to the human rights dimension and due process in using this instrument. This humanitarian concern must be approached in a well-balanced fashion with a view to ensuring that any concerns can be addressed, without the list losing its effectiveness.

As I had said at a previous meeting, visits to States have been very useful, both in obtaining useful information on the implementation of the sanctions and in promoting dialogue with Member States. During this period I had the pleasure of visiting 21 countries: Afghanistan, Algeria, Australia, Belgium in the context of the European Union, Cambodia, Germany, Indonesia twice, the Islamic Republic of Iran, Italy, the Libyan Arab Jamahiriya, Liechtenstein, Pakistan, the Philippines, Saudi Arabia, Senegal, Singapore, Spain, Switzerland, Thailand, Tunisia and the United Arab Emirates. I believe that visits to selected countries are of core importance in establishing dialogue and gaining field knowledge of how sanctions are being implemented, as well as what problems, successes and suggestions may exist. Because other Committee Chairmen will travel in the future, it would be a good idea to consider joint visits when appropriate. It is also important for dialogue with States to take place periodically in New York.

I would like to emphasize that one of the most recurrent features I have observed is the need for long-term technical cooperation with countries that need it in order to strengthen their capabilities to combat terrorism. Many countries requested this during our visits. Some of them, fortunately very few, naively believe that, although they do not have the appropriate legislation or the necessary instruments, since there have been no terrorist attacks on their territory, they are safe from this scourge and do not have to risk damaging their economic or touristic image by requesting cooperation. They are wrong. The greatest security for a country is international cooperation to strengthen its capabilities, as no country is exempt from this global threat. Moreover, we should recall that Security Council decisions are not optional in nature. Rather, they are binding under Chapter VII. In any case, the broad majority of countries understand this.

Another aspect that I have noted is the need to continue close cooperation with the Counter-Terrorism Committee and with the Committee established pursuant to Security Council resolution 1540 (2004). This cooperation should be extended to other bodies and agencies of the United Nations, as well as other international bodies. Personally, I began some fruitful collaboration with the European Union, Interpol and others. I hope that this will continue and will be consolidated. International cooperation in intelligence-sharing is, as mentioned by many countries, essential.

There is another point that I believe is very important. A continuous dialogue must be pursued among cultures. We must avoid approaches based on the "clash of civilizations" when combating terrorism, nor should we identify the phenomenon with any particular religion, culture or people. That could lead to discrimination or intolerance, which, in the long term, will only serve the purposes of terrorism.

With regard to certain radical interpretations of Islam, authorities in many countries requested me, during my visits, to pay more attention to statements by moderate Islamic leaders who condemn Al Qaeda terrorism and that of its associates. Indonesia, Philippines, Thailand and others stated this very clearly. In other words, terrorism must also be fought on the ideological plane.

Another aspect that I have noted during this period is that poverty, discrimination and social exclusion abet terrorism. Youth frequently do not have opportunities and find a sense of identity, esteem and social support in terrorist organizations. It is only the leaders of terrorist groups who come from comfortable and wealthy sectors and have higher education, but most of the base comes from a modest origin. It is clear that, whatever the underlying causes, nothing can justify terrorism.

I must add, as many studies on Al Qaeda have said, that the war in Iraq has attracted and encouraged "jihad" fighters, who are using that country as a theatre of operations, a theatre of opportunity. As long as the conflict in Iraq is prolonged and becomes more deep-rooted, recruitment for Al Qaeda will flourish. The expansion of democracy, the rule of law and pluralism erode the support for the extremist ideology of Al Qaeda.

I believe that the persistence of the conflict in the Middle East also encourages the sense of injustice, frustration and hatred, which serves as a breeding ground for Al Qaeda terrorism. If progress is not made on the road map and peace between Palestinians and Israelis is not achieved, if the right of Palestine to be a sovereign State living in peace and security, side by side with Israel is denied, the perception of unequal and degrading treatment will grow in the Islamic world and this will be used by Al Qaeda, whose manipulative message seeks to offer a palliative for the widely felt injury to dignity and pride.

Finally I would like to speak of the relative effectiveness of different sanctions measures. The freezing of financial assets and economic resources has been one of the greatest successes in the implementation of the sanctions, and it has been possible to freeze a substantial quantity of such assets. More than $135 million deposited in the accounts of individuals or entities has been frozen throughout the world. Many countries have established financial intelligence units and have implemented the recommendations of the Financial Action Task Force. However, since Al Qaeda has sought new ways to finance its operations, it is essential that the Committee continue to carefully monitor alternative means of collecting and transferring funds.

Concerning travel bans, although there have been no reports of persons having been detained at the border control points, I think it would be excessive to assume that the measure has been a failure. It is possible that the Committee's travel ban has had an important deterrent effect on individuals on the list. In other words, there may be individuals who have been prevented from travelling, or have been forced to do so illegally. As a preventive measure, this has been very important, although I must note that implementation should continue to be improved, including through cooperation with Interpol.

With reference to the arms embargo, I believe that progress has been made. Terrorists have been unable to gain commercial access to military weapons, since States have exercised proper control. Now we must make further efforts to ensure that Al Qaeda does not continue to have access to small arms and light weapons or, even more important, to dual-use material. We therefore believe that there must be, inter alia, an international instrument which would make it possible to identify and trace small arms and light weapons. Accordingly, the Council should promote the adoption of good practices for the reliable regulation of materials such as ammonium nitrate, practices which already exist in some countries.

In that connection, it must not be forgotten that the effectiveness of sanctions depends upon their implementation by Member States and upon the cooperation of those States in combating Al Qaeda.

There are clear distinctions in the implementation of sanctions. While some States have greater means for complying with their obligations, they have not yet demonstrated in their reports that they have fully implemented the measures. I believe that in future the Committee, with the support of the Monitoring Team, should focus on those States and that they should together explore specific cooperative steps towards raising the level of compliance.

In conclusion, I note that the sanctions regime is relatively new, but it has evolved from suggesting a few names for the list to providing sufficient information to identify the subjects of sanctions and to explain the reasons for which they have been added to the list. It has grown from listing individuals and entities to elaborating procedures for removing names from the list and applying procedures for humanitarian exceptions. The focus of the Committee has moved from the preparation of reports on sanctions implementation by States, to concrete, active dialogue with States. Because of the unique nature of the regime, other sanctions regimes provide no example to follow or imitate. Frequently, members of the Committee have had to create new procedures on the fly.

I believe that the Committee is playing an essential role in combating terrorism and that it should therefore continue to act quickly and efficiently.

While the struggle against terrorism has made headway, the international community is far from winning the war against terrorism. As an extremist ideology and an extremist message, Al Qaeda has grown, and today enjoys greater support as a decentralized network of terrorist groups than it did when Osama bin Laden established it as a structured organization. Therefore, the efforts of the international community must be doubled, given that we are facing a challenge that is not only military, but also eminently political, diplomatic, sociological and ideological.

Accordingly, cooperation, through the United Nations is essential and irreplaceable.

Finally, I want to thank the members of the Security Council for their exceptional work in the Committee. It has been an honour to work with a group of diplomats who showed great professionalism, dedication and enthusiasm, and who have spent long days working on highly complex tasks. As an example, I would mention Carla Serazzi of my Mission, a tireless professional who often coordinated the work of the members of the Committee. I would also like to mention the support I have received from the panel of experts, first of all those of the Monitoring Group, as well as those of the Monitoring Team, headed by Mr. Richard Barrett, whose work has been professional, effective and important. Similarly, I would like, in particular, to emphasize the invaluable and dedicated work of the Secretariat, through its sanctions section, and in particular, the work of Ms. Tatiana Cosio, Mr. Ulrik Ahnfeldt-Mollerup and other members of the team. In addition, all of my colleagues in the Council have always given solid support for our work — which is in the common interest. Without their unwavering and tireless support, we would have been unable to advance in so many different areas. I thank them, one and all.

The President (*spoke in Arabic*): I thank Ambassador Muñoz for his briefing and for the kind words he addressed to me, as well as for the tremendous efforts he has made and the results he achieved during the past two years as a member of the Council and as Chairman of the Committee established pursuant to resolution 1267 (1999).

I now give the floor to Ambassador Munir Akram, Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia.

Mr. Akram: I welcome this opportunity to share some personal thoughts as Chair of the Liberia Committee for the last two years. I take this opportunity, first of all, to thank all Council members and, in particular, the Committee experts, as well as the Secretariat staff, for their contributions to the Committee's work and their support for the Chairman. I commend, in particular, Loraine Richard-Martin, the Secretary of the Committee during 2003, and her equally able successor James Sutterlin, as well as their colleagues Tilo Stolz and Arminia Decepida, for their outstanding performance.

Our work over the past two years could be divided into two distinct periods: the first period, from January to December 2003 as the 1343 Committee; and the second period, from December 2003 to the present time, as the successor 1521 Committee. The first period was marked by ongoing civil war and continuing violations of the sanctions and the arms embargo. The second period, in 2004, was marked by an improvement in the situation as Liberia underwent a transition from conflict to peacebuilding.

Since August 2003, there have been no violations of the arms embargo that have been reported. However, the Committee agreed to adopt an approach towards the continuation of sanctions that is differentiated between the arms sanctions and the economic sanctions.

The Committee has had to rely a great deal on the Panel of Experts, in the absence of a mechanism for reporting by Member States. Also, the guidelines for the Committee's work have not been approved since the Committee was established in 2001. It is my hope that those matters will be finalized as a matter of priority next year.

My first and foremost priority in the Committee has been to maintain transparency in its work. I would like to briefly comment on some aspects of the Committee, and perhaps my comments may apply to others.

In my view, in devising and implementing measures under Chapter VII, we must remain focused on the initial objectives that led to their imposition. The goalposts for the maintenance of sanctions should not be shifted in mid-course. The monitoring and implementation of sanctions is a difficult task and an expensive one. Sanctions need a closer cost-benefit analysis. The socio-economic and humanitarian impact of sanctions must be clearly and regularly assessed. It is equally important to objectively assess the capacity of the Government concerned to fulfil the conditionalities imposed by the Council. There is a need to promote coordination in policies with regional and subregional organizations — in Liberia's case, with the Economic Community of West African States and the African Union.

The lifting of sanctions should be based on a political judgement rather than on technical requirements linked to conditions for lifting such sanctions; and in transitional situations, ways must be found to remove the stigma of sanctions against the country.

Having offered those comments as Chairman of the Liberia Committee, I would like to add a few comments as Pakistan completes its two-year term on the Security Council at the end of this month.

It has been a singular privilege for the members of my delegation and myself to serve on the Security Council with so many able and outstanding colleagues. Our term has coincided with momentous developments in international relations — developments in which the Council and the United Nations have been in the eye of the storm. We have entered a new era in history marked, paradoxically, by the asymmetry of power as well as the interdependence of nations.

We have yet to determine a new paradigm for managing global affairs in this new era, but the United Nations and the Security Council will have a central role in it. The United Nations is an indispensable instrument for the promotion of humankind's shared goals. The Security Council is the crown jewel of the United Nations, entrusted with the primary responsibility for the maintenance of international peace and security and empowered with the unique capacity to create international obligations and take enforcement action. Yet the essence of the Charter is cooperative, not coercive multilateralism.

The Security Council's scope of action extends sequentially from pre-conflict peacemaking, through conflict-management and termination to post-conflict pacification. In our view, where the Council and the United Nations really fall short is in exploiting the tremendous possibilities contained in Chapter VI of the Charter for the pacific settlement of disputes. The Secretary-General, his special representatives, the Security Council itself, its subsidiary bodies and missions, as well as other United Nations judicial and humanitarian structures can play a much more active role in reconciling differences and settling disputes before they result in open conflict. The special debate on the pacific settlement of disputes, held during Pakistan's first presidency in May 2003, identified a number of views, ideas and proposals which need to be seriously pursued and promoted.

In the recent past, the Council has been too quick to evoke its authority under Chapter VII of the Charter, often where the threat to international peace was neither imminent nor fully visible. The provisions of Article 41 have been utilized with increasing frequency to impose sanctions and punish recalcitrant regimes and warring parties. The effectiveness, value and negative consequences of such sanctions measures have yet to be fully analysed and evaluated, as is apparent from the report of our working group on sanctions.

Moreover, there is a visible impatience on the part of some, once Chapter VII has been invoked, to move rapidly towards the application of Article 42 of the Charter and to threaten or authorize enforcement action. In our view, the space between Articles 41 and 42 of the Charter is not always fully explored, including in some celebrated cases, to achieve the international community's objectives without recourse to the use of force and military intervention.

One consequence of the proclivity to punish and enforce, rather than conciliate and mediate, is that the major threats to international peace and security — such as in South Asia, North Asia and the Middle East — are prevented by one or the other of our permanent members from being addressed substantively in the Security Council. Thus, while the Council expends most of its time in seeking, not always successfully, to manage internal conflicts — some, admittedly, with cross-border or regional implications — and in worrying about putative threats from terrorism and the proliferation of weapons of mass destruction, the real threats to global security are being addressed through arrangements outside the Security Council. It is almost as if the real threats to international peace and security are considered to be too important to be entrusted to the Security Council.

The Council's power of enforcement is most often directed, at present, against weak regimes, militias or mullahs. Since Iraq's occupation of Kuwait, the Security Council has not taken enforcement action against States which have resorted to the use of force, aggression and occupation against other States and peoples. United Nations peacekeeping missions have emerged as the principal instrument of enforcement action by the Security Council. After the failures of Somalia, Srebrenica and Rwanda, United Nations peacekeeping succeeded in Sierra Leone. That success and the Council's preoccupation with intra-State

conflicts have led to a strong surge in demand for United Nations peacekeeping, especially in West Africa, Central Africa and, perhaps, in the southern Sudan.

Today, the United Nations fields over 70,000 military and civilian personnel in 16 missions. Pakistan is proud to be the largest contributor to those United Nations peacekeeping operations. However, the nature of peacekeeping has changed from simple operations involving the observance and enforcement of ceasefires to the management of complex crises involving duties in disarmament, demobilization, reintegration and reconstruction. In short, the United Nations is now in the business of nation-building.

The oversight and management of such nation-building consumes at least half the time and attention of the Security Council, inevitably diffusing its focus on the more existential threats to international peace and security. Huge expenditures are incurred on peacekeeping, but there are consistent shortfalls in the resources required to reconstruct broken nations and build sustainable security.

Pakistan has held the consistent view that many of those complex crises should be entrusted to mechanisms involving other major United Nations organs, especially the Economic and Social Council and the General Assembly, so that comprehensive action can be taken to address the political, economic and social dimensions of such crises. While the High-level Panel on Threats, Challenges and Change has proposed the creation of a peacebuilding commission under the Security Council, Pakistan's view remains that a more practical mechanism would be the creation of ad hoc composite committees to address such crises as and when they arise.

The preoccupation of the Security Council with intra-State conflict has been conceptualized in the thesis of the responsibility to protect populations that are at risk in so-called failed or failing States. The question, of course, arises as to when that responsibility to protect commences — once the State is on the verge of collapse or well before, when conditions of poverty and underdevelopment clearly indicate that a country might collapse into State failure unless it is assisted by the international community.

An international responsibility to protect can only become legitimate if it flows from a prior acceptance of the right to development of all peoples — a right that encompasses the right to food, shelter, fair terms of trade, relief from crippling debt, and adequate access to finance and technology. Without the international solidarity implied by the right to development, the world is destined to witness a host of failed States. Humanitarian interventions invoking the responsibility to protect could come to be perceived as the birth of a new era of recolonization. Nor is it clear that such interventions could be funded or well managed by the international community. In our view, it would be much wiser to devote the required resources for a pre-emptive strike against poverty and underdevelopment.

There are two other areas in which the work of the Security Council cannot remain exclusive: terrorism and weapons of mass destruction. After 11 September 2001, the adoption of Security Council resolution 1373 (2001), creating the Counter-Terrorism Committee (CTC), was a necessary and desirable response. But if the CTC is to be effective in eradicating terrorism rather than in only addressing symptoms, its scope of action must be broadened to address the root causes of terrorism, especially the political and economic injustice against Muslim peoples in Palestine, Kashmir and elsewhere. We look forward to the comprehensive strategy to be proposed by the Secretary-General. Clearly, counter-terrorism endeavours must involve the active participation of all those countries whose contributions are essential to achieving the objectives of a comprehensive strategy.

Similarly, the Security Council adopted resolution 1540 (2004) as a stopgap measure to prevent the acquisition of weapons of mass destruction by terrorists and non-State actors. A comprehensive non-proliferation strategy can only be pursued with the universal participation and cooperative action of all the Member States of the United Nations. It cannot be achieved by the Security Council alone, where some enjoy extraordinary powers and unequalled privileges in the field of non-proliferation and disarmament.

It is obvious that the Security Council can be, and should be, made more effective and efficient. Due to the unequal power enjoyed by five of its permanent members, the Security Council is structurally constrained from always acting in an objective, consistent and just manner. But some steps can be taken to improve its functioning. Transparency and accountability are prerequisites to achieve that. As provided in the Charter and the Council's provisional

rules of procedure, the Security Council's meetings should, as a rule, be open. Close consultations should be the exception. The dictum "open covenants openly arrived at" must also apply to the Security Council.

The election of non-permanent members is also an instrument to ensure accountability on the part of those States that are accorded the privilege of serving on the Council. During its term, therefore, Pakistan sought to reflect not only its national interests but also the aspirations of our constituency, namely, the countries of Asia and the Islamic, non-aligned and developing world. The accountability of Council members will not be enhanced by creating new permanent members, as they will not be obliged to face the democratic test of a periodic election by their peers in the General Assembly. The privilege and claim of a country to represent its region or a group must be subjected to the periodic democratic test of elections by the General Assembly.

During our two years in the Security Council, the delegation of Pakistan was often advised to temper its idealism in the face of power realities. However, that has not shaken our belief that sustainable security can only be secured when principles have primacy over power. The world needs a Security Council that does not always mirror power realities, but one that also acts with moral authority and credibility. The world needs a Council that can also stand up for the weak and powerless, a Council that is a force for objectivity, fairness, equality and justice in the management of international relations.

I would like to thank the President of the Council very much. I am very glad to have ended our term under his presidency, which reflects not only the great skill of Algerian diplomacy but also the spirit of the season.

The President (*spoke in Arabic*): I thank Ambassador Munir Akram for his briefing and for his kind words addressed to me and my country, as well as for the great service he rendered to the United Nations as Chairman of a sanctions Committee during the two years he was a member of the Security Council. I wish him every success.

I now call on the last speaker on my list, Ambassador Gunter Pleuger, Chairman of the Security Council Committee established pursuant to resolution 1572 (2004), concerning Côte d'Ivoire.

Mr. Pleuger: My report will be extremely short. As the whole Council knows, the Committee established pursuant to resolution 1572 (2004) was set up only two weeks ago. We held our first formal meeting on 6 December, and held one informal meeting on 16 December. We issued a note verbale on 17 December, informing all Member States of the measures taken, namely, concerning the arms embargo — which has been in force since 15 November — and such targeted sanctions as a travel ban and the freezing of assets, which went into force on 15 December. We also informed Member States of the fact that the Committee has initiated a process to establish a list of individuals and entities to be subject to the travel ban and to the freezing of assets. In that process, which has not yet been concluded, the Committee will fully take into account the current efforts at mediation being undertaken by the African Union, in line with the Council's presidential statement adopted on 16 December.

As our term on the Security Council will also expire at the end of this month, I would like, on behalf of my delegation, to thank all colleagues for their good cooperation.

I will resist the temptation to respond to what was said by Ambassador Munir Akram, because I think that is a discussion that we will have to have in the General Assembly, and not in the Security Council. But allow me to say just one short word in that regard. I agree with Ambassador Akram that we have gone through troubled times in the Council over the last two years. I think that we also agree around the table that the Secretary-General was right when he spoke about a fork in the road as regards keeping the United Nations relevant against a backdrop of new threats and challenges. We now have before us the report of the High-level Panel on Threats, Challenges and Change (A/59/565). I believe it essential that we all work together, within and outside the Council, to implement the Panel's proposals.

I think we have a common interest in strengthening the only global multilateral system that we have. In order to strengthen its most important organ, which has the main responsibility for peace and stability — that is, the Security Council — we have to make sure that it gains in effectiveness, gains in legitimacy and gains in transparency so as to make its decisions not only more legitimate, but also acceptable and implementable. I think that we will do that next

year. I hope that States members of the General Assembly will find the political will and meet the responsibility to increase the effectiveness and the legitimacy of the Council.

The President (*spoke in Arabic*): I thank Ambassador Pleuger for his briefing and for his service to the United Nations during his chairmanship — albeit brief — of the Security Council Committee established pursuant to resolution 1572 (2004).

Mr. Yáñez-Barnuevo (Spain) (*spoke in Spanish*): I would like to thank you, Mr. President, for having given me the floor at this very special meeting — the last such meeting to be held during the presidency of Algeria and the last Council meeting at which the departing non-permanent members have an opportunity to speak.

The item on our agenda is briefings by Chairmen of Security Council committees and working groups. By chance or, perhaps, design, the four previous speakers — the Permanent Representatives of Angola, Chile, Pakistan and Germany — represent non-permanent member countries that will be leaving the Council at the end of the year. As my delegation is the fifth non-permanent member to be leaving on 31 December, I would like briefly to express, as my colleagues have done, our satisfaction at having been able to work side by side with other members of the Council in fulfilling the weighty responsibilities involved in working in such an important United Nations organ, whose critical role, pursuant to the Charter, is to contribute to the maintenance and the re-establishment of peace and security throughout the world.

I should like to thank all the members of the Council and, through you, Sir, the Secretariat and other delegations that contribute to the Council's work, for their cooperation, which we have been able to count upon. I should also like to point out that there is life beyond the Security Council — that the United Nations extends far beyond the Security Council and that we are all called upon to cooperate, in one way or another, in the work that is expected of us to revitalize the Organization in all of its aspects, as called for by the Secretary-General and by the recent report of the High-level Panel on Threats, Challenges and Change. Spain stands ready to do everything possible to cooperate in this task.

The President (*spoke in Arabic*): I thank Ambassador Yáñez-Barnuevo of Spain for his kind words. We appreciate the important role that Spain played during its chairmanship of the Committee established pursuant to resolution 1373 (2001). I agree that there is life beyond the Council; I wish him every success outside the Council.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.15 a.m.

United Nations S/PV.5106/Corr.1

Security Council

Fifty-ninth year

Provisional

5106th meeting

Wednesday, 22 December 2004, 10 a.m.
New York

Corrigendum

Page 7, second column, second full paragraph, penultimate line

For arms sanctions *read* arms embargo

Page 9, second column, sixth line

For failed States *read* failing States

Page 10, first column, second full paragraph, second line

For often advised *read* often obliged

05-20215 (E)

United Nations S/PV.5107

Security Council

Fifty-ninth year

Provisional

5107th meeting

Wednesday, 22 December 2004, 5.10 p.m.

New York

President:	Mr. Baali	(Algeria)
Members:	Angola	Mr. Antonio
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Donoso
	China	Mr. Zhang Yishan
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Pakistan	Mr. Khalid
	Philippines	Mr. Mercado
	Romania	Mr. Dumitru
	Russian Federation	Mr. Konuzin
	Spain	Mr. Yáñez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Ms. Howe-Jones
	United States of America	Mr. Fendrick

Agenda

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2004/969)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-66185 (E)

The meeting was called to order at 5.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2004/969)

The President (*spoke in Arabic*): I should like to inform the Council that I have received a letter from the representative of Guinea-Bissau, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Cabral (Guinea-Bissau), took a seat at the Council table.

The President (*spoke in Arabic*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country, contained in document S/2004/969.

Members of the Council also have before them document S/2004/986, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Arabic*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1580 (2004).

As this will perhaps be the last meeting of the Security Council during the month of December, I wish to thank all the members of the Council for their valuable contributions and cooperation during the presidency of Algeria.

In particular, I pay a special tribute to the five elected members of the Council that are leaving this body at the end of the year: Angola, Chile, Germany, Pakistan and Spain.

I also wish to thank the members of the Security Council secretariat and the support staff, including the conference officers, interpreters, security officers and all other personnel for their dedicated work and commendable efforts.

Finally, I take this opportunity to wish everyone happy holidays and success, health and prosperity in the New Year.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.15 p.m.